

when he was going near the Central College, his cap was taken out and so many other things have happened. It is better that we discuss it today itself.

**Sri C. J. MUCKANNAPPA** (Gubbi).—My request is also the same.

**Mr. SPEAKER.**—I am aware that there is some general scare in the General Hostel.

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**MYSORE PUBLIC SERVICE  
COMMISSION (CONDUCT OF  
BUSINESS AND ADDITIONAL  
FUNCTIONS) BILL, 1958.**

**(As passed by the Legislative Council).**

*Motion to consider.*

**Sri T. SUBRAMANYA** (Minister for Law, Labour and Local Self-Government).—Sir, I move :

“That the Mysore Public Service Commission (Conduct of Business and Additional Functions) Bill, 1958, as passed by the Legislative Council, be taken into consideration.”

**Mr. SPEAKER.**—Motion moved :

“That the Mysore Public Service Commission (Conduct of Business and Additional Functions) Bill, 1958, as passed by the Legislative Council be taken into consideration.”

†**Sri T. SUBRAMANYA.**—Sir, the Public Service Commission and its functions are defined in Articles 320 and 321 of the Constitution. Hitherto, their business was conducted according to the rules issued by the Governor of the State. Now, according to Article 321, the State Government have powers to enact law to govern the conduct of business of the Public Service Commission and therefore, this enactment has been brought before this House. Secondly, according to Article 321 of the Constitution, we can assign several functions, in addition to holding examinations and recruitment to the State services, to the Public Service Commission. Accordingly, in this Bill we have included two other functions to be transferred to the Public Service

Commission, i.e., recruitment to the local bodies and also holding of local service examinations. At present the local service examinations are conducted by a Board appointed by Government. Instead of that, we would like to have it transferred to the Public Service Commission because on the result of those examinations will depend the promotions and other benefits that may accrue to the several Government officers and officials and hence the Government thought it fit to transfer the function of holding examinations to the Public Service Commission and make recommendations to Government. These two additional functions we have given to the Public Service Commission in addition to those that are being enjoyed by them. Now we are creating a separate local self-Government cadre and any appointment to be made to any local body, be it a municipality or a village panchayat or a district development council or a corporation—we do not want to leave it to the whims and fancies of the local bodies themselves. We want to give that responsibility to the Public Service Commission so that there may not be any accusation against the local bodies that the appointments have been made as a matter of distribution of patronage. With these ends in view, we have introduced this Bill. This Bill is passed in the Upper House and therefore I request the Hon'ble Members of this House to take this into consideration.

**Sri J. VENKATAPPA** (Sidlaghatta).—One clarification. Appointments of what cadre pertaining to the Local Boards will be given to the Public Service Commission?

**Sri T. SUBRAMANYA.**—Except class IV appointments, every other appointment.

**Sri G. VENKATAI GOWDA** (Palayam).—This Bill aims at regulating the procedure to be adopted by the Public Service Commission in respect of the conduct of business and also entrusting some additional functions in respect of recruitment to the local bodies. Of course, it is welcome. But if we analyse the various provisions of the Bill and compare them with the spirit of Articles 320-323 of the Constitution,

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I would submit there is conflict. We are aware that this body is statutory and independent and they ought to have been vested with all the powers and functions enumerated under Article 320 of the Constitution and also the Government ought to have been vested with all the powers and functions enumerated under Article 320 of the Constitution. Also the Government ought to have taken steps to entrust additional functions under Article 351. The authors of this Article really intended that these bodies should work independently and they did not contemplate at that time to have similar powers working parallel to each other. Under the rules framed by our Government in respect of the Public Service Commission, we are seeing that more powers are reserved for themselves without entrusting them to the Public Service Commission and in the matter of promotions, recruitment, etc., they have not vested all the powers that they are expected to vest in the Commission. That we are seeing under the rules framed by the Government. Why it could not divest itself of all the powers vested in it in respect of these appointments and entrust the entire thing to the Public Service Commission? After all, it is intended to help the Government to run effectively and efficiently its administration and also it is there to take up the responsibility of appointing the best suited persons in the administrative machinery. It is intended for that and it is a creation under the Constitution. Neither the Government nor this House has got any power to remove any of the members or that body. Such being the case, I fail to understand why the Government has not tried to divest itself of the powers reserved and vest the same in the Public Service Commission so that they can effectively and efficiently appoint the best suited persons for running the administrative machinery.

Sri T. SUBRAMANYA.—What are those reserved powers?

Sri G. VENKATAI GOWDA.—In respect of Inter-State seniority list, you

have not consulted them; in respect of giving promotions, you don't consult them or take their advice. Have they not reserved powers for acting without referring those matters to the Public Service Commission? I would have been satisfied if they had said: "Except in certain matters, we have transferred all the rights to the Commission, the Commission is entitled to make recommendations, we are going to approve of them in the ordinary course." If they had said it anywhere in the Bill, the House would have been satisfied. Nowhere they have said so. They appoint persons temporarily and later regularise the appointments. They have themselves published a tentative Inter-State seniority list and also issued a Government Order saying that whenever promotions are to be made they have got to make them according to the tentative list. There are instances where the Government have flouted their own order and promoted people who are much lower than others mentioned in the tentative list. I have brought to the notice of the Chief Minister several instances in which they have flouted their own Government Order giving promotions to those persons who are mentioned below in the tentative list and his assurance was that if those people who had been promoted are found below, they would be reverted. When they have issued a Government Order that those persons below in that list would be promoted they have violated the list. So long as they don't divest themselves of the powers in respect of these matters it is likely that that power will be abused. After all, the Public Service Commission is there to choose the most able persons to run the administrative machinery and Government should concern themselves with only matters relating to the civil officers. It is very interesting to go through the proceedings while this matter was discussed in the Constituent Assembly. There it is said that the popular ministry should divest itself of the powers in respect of these matters. So long as they do that, it will be conducive to efficiency and effectively running the administration. That is



how the authors have viewed. Therefore, I submit that Government should have said in one proviso that except certain appointments in which they reserve that power, all other appointments have got to be made by the Public Service Commission and the Government have got to implement those recommendations. There is no question of formally approving those recommendations made by the Public Service Commission. There is no question of referring back any recommendation because it does not contain certain names. It is in the ordinary course of things that they have got to implement those recommendations and not to turn down or refer back any such recommendation for reconsideration. I am told, there are several instances in which the Government has referred back the decision of the Public Service Commission for reconsideration. Such things should not happen. Even if there is an extraordinary case, if the Government desires to deviate from the recommendations of the Commission it should submit its explanation and place the matter before the Assembly for discussion. There was one instance in the Parliament. When the decision of the Union Public Service Commission was altered twice, the Parliament members attacked the Government for its bad policy and it was discussed threadbare. Even if there is an extraordinary case and the Government intends to deviate from the recommendations of the Commission, it should report the matter to this House and it should come up for discussion. So far we have not discussed the Report of the Commission and we do not know why the Government have not given an opportunity to discuss this matter.

**Mr. SPEAKER.**—I am seized of the subject.

2-30 P.M.

**Sri C. M. ARUMUGHAM** (Kolar Gold Fields).—They have not yet placed it before us.

**Mr. SPEAKER.**—I am seized of the subject.

**Sri G. VENKTAI GOWDA.**—So far as extending these functions of the

local bodies to the purview of the Public Service Commission is concerned, we welcome it as that would avoid abuse of power by the local bodies and by the Hon'ble Minister. Likewise, whatever the Government has reserved to itself, it should also divest itself of those powers and vest them in the Public Service Commission with a view to avoid accusation of misuse of power. Chapters I and II relate to the definitions and the way in which business of the Public Service Commission should be conducted. In clause 1 (2), the Government have reserved even the power to enforce this enactment after it gets the assent of the Governor. It is stated:

“...and the remaining provisions shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.”

So, Section 2 and Chapter II of the Act will come into force at once; but the rest of it will come into force only when the Government publishes the date by means of a notification. I do not understand why they should reserve the power to enforce it at a later stage. When the Local Bodies Act has come into force and several appointments have got to be made, let the remaining provisions also come into force at once, as soon as this Act gets the assent. Therefore I submit that all the Chapters of this Bill should come into force at once without any reservation on the part of the Government. So far as the powers that have been conferred on the members of the Public Service Commission are concerned, I submit that the Chairman has been given overriding powers as I could see from several clauses of the Bill. In the absence of the Chairman, the seniormost member can act on his behalf under Section 7. But when a decision has been taken, it has to be referred to the Chairman and if the Chairman so requires, it has to be placed before him for reconsideration. I do not know what consideration is there when a unanimous decision is taken. Supposing there are four members, the Chairman is absent and

(SRI G. VENKATAI GOWDA)

the quorum is fixed at 2. When there is a unanimous opinion on the matter, if the Chairman so desires, even that unanimous opinion has to be reconsidered and it has to be placed before the Chairman for reconsideration according to proviso to Section 7. It says :

“ Provided that where the Chairman so requires, no action shall be taken upon any decision arrived at in a meeting at which he was not present, until he has been informed of such decision, and upon being so informed, he may require that any such decision shall be reconsidered at a meeting at which he is present.”

I fail to understand the anxiety of the Chairman to reconsider a matter on which a unanimous decision has already been taken. Quorum has been fixed as 2. Supposing there are two members and they take a unanimous decision. Even in spite of a unanimous decision being arrived at, where is the justification for adjourning a meeting on the ground that a particular member is absent ? I do not think it is consistent with the spirit in which the legislation is made. Clause 14 says :

“ The Chairman or in his absence the next Senior Member, may deal with any urgent matter appearing to him to require immediate action. Such action shall be reported to the Commission as early as possible.”

Suppose on a matter of urgent importance a decision is taken and suppose the Chairman is absent. He can exercise powers invested in him under the proviso to Section 7. Then what is the use of giving such an emergency right under Section 14 ? Section 14 would be inconsistent when the Chairman can exercise power under the proviso to Section 7.

SRI T. SUBRAMANYA.—It does not contemplate a decision by the remaining members.

SRI G. VENKATAI GOWDA.—The Senioirmost member may deal with any urgent matter. Suppose the next

senioirmost member does it and the Chairman is informed of it and he requires that it should be reconsidered under proviso to Section 7. Where is anything to prevent it ? You have put this clause for emergency cases. But it is unworkable in the case of Section 7. So, proviso to Section 7 is unnecessary and it needs to be deleted. Then when a quorum has been fixed as 2, why should the Chairman be invested with the power to adjourn a meeting on the ground that a particular member is absent ? That is meaningless and I should say that also should be deleted. The mode of appointment and recruitment in respect of local bodies and the conduct of local service examinations have been brought under the purview of the Public Service Commission. In view of the enormous work now on hand before the Public Service Commission, it is desirable to increase the number of members. Yesterday, we were told that the applications for teachers which were filed for the last two years had not been disposed of. I therefore do not think it is possible to do justice to the work by the existing number of members. My submission is that the Government should not provide for reconsideration of the decision taken by the Public Service Commission. There cannot be two mandatory powers working parallel to each other. The authors of the Constitution do not intend that such a thing should happen. They intend that the Public Service Commission should help the Government to run the administration properly and efficiently, to choose the best the men possible and also to safeguard the interest of those who are already in service. They should not be made to dance to the whims and fancies of the Government, whoever it may be. All matters regarding recruitment, giving promotions or superseding some persons or appointing some other persons, should be attended to by the Public Service Commission and the Government should, I say, blindly implement those recommendations. If there is any extraordinary case, it can alter or refer back for reconsideration any particular matter. Now, we have been hearing

several instances wherein the Government do not agree with the recommendations of the Public Service Commission. The recommendations of the Public Service Commission should be simply implemented. If that procedure is followed, the services would become better and the administration would become better and it can be carried on smoothly and efficiently. With these observations, I request the Government to take away the overriding powers vested in it because it may misuse that power and veto any unanimous decision taken by them. No room should be given to have such an impression. Therefore, I submit that the overriding power given should be deleted and the Government should think of incorporating another clause of divesting all the powers that it has reserved so far from the purview of the Public Service Commission.

†Sri F. H. MOHSIN (Hubli City).—Sir, I rise to support the Bill now before the House. This Bill is intended to give some more functions to the Public Service Commission. The Commission is hereafter to recruit personnel for the municipal authorities and servants of the local boards. The practice in Bombay prior to Re-organisation was that the Commission recruited persons only for the gazetted posts, but the practice in old Mysore seems to be that Clerks, Typists and even Chaprasis are being recruited by the Commission.

Sri T. SUBRAMANYA.—Not class IV staff.

Sri F. H. MOHSIN.—Excluding class IV all others are recruited by the P.S.C. The sufferings which the candidates have to undergo are enormous. The candidates have complained several times that they would have to incur much expenditure in having come to Bangalore from far-off areas. For example, a candidate from Bidar has to travel more than 500 miles to come to Bangalore for an interview. Often-times he may not get the job and has to return disappointed and even go out-of-pocket. The Commission also pleads that they are unable to tour the State for purposes of recruitment because there are only three members.

I do not approve of Clause 12 which provides for deputation of Members of the Commission to any area because the standards that one member may have in mind may differ from the other members and as a result there may be injustice to the candidates. In view of these difficulties, my suggestion would be that the jurisdiction of the P.S.C. should be restricted to gazetted cadres. Otherwise pay may be fixed as the criterion. It may be said that all persons to be recruited to scales starting from over so much may be recruited by the P.S.C. I suggest that Class III officials in the Government and local bodies may be recruited by the officers of the local area. It is a pity indeed that an officer of the cadre of a Deputy Commissioner or District Judge cannot recruit even a Clerk or a Typist. I submit that the P.S.C. should not be considered efficient in all respects. I am told that even policemen are being recruited by the P.S.C. I believe that as many as 19 posts of Sub-Inspectors are vacant since a year and the P.S.C. has not been able to recruit them so far. If the Commission is to recruit even policemen, I do not see what kind of justice would be available.....

Sri C. M. ARUMUGHAM.—Would the Hon'ble Member suggest that as far as police personnel are concerned, we may give the power to any political party?

Sri F. H. MOHSIN.—That is not my suggestion. The person who is in the line, say the I.G.P. could be given such powers.

Sri G. VENKATAI GOWDA.—The I.G.P. will be invited to sit with the Commission at such recruitment.

Sri F. H. MOHSIN.—My suggestion is that a separate Committee might be constituted for that purpose. The members of the Committee may be drawn up from members having experience in the particular fields. In the case of selection of engineers, the Chief Engineer or the Superintending Engineer may be associated. The P.S.C. cannot be expected to know all the requirements in regard to a policeman or an engineer or a doctor or a teacher. A man cannot be an expert in all the fields.

**Sri G. VENKATAI GOWDA.**—In that case the P.S.C. cannot recruit for technical posts at all.

**Sri F. H. MOHSIN.**—The P.S.C. may have to take the assistance of those departmental heads while making these appointments. While the policemen are being recruited, it should be made compulsory at least to make the I.G.P. as a member along with the members of the Commission. He should be nominated in the Act itself. Selection of smaller officials should be left to departmental heads themselves.

Incidentally, I must point out that if a proper type of recruitment is to be made the strength of Members in the Commission has to be increased. Judged from the present volume of work in the Commission, it is unable to look after recruitment even to the Government services and I think it would be absolutely impossible for them to cope with the work of recruiting personnel to local bodies also. The number of Members should therefore be increased.

Sir, in this connection I am also compelled to state that we have an impression that recruitment has not been congenial or justifiable because there is no Member in the Commission from Bombay at all. When the strength of the Commission is increased I suggest that a member from that area should be included.

**Sri M. C. NARASIMHAN** (Kolar Gold Fields).—May I know how long this talk about Bombay area, Mysore area, Coorg area, etc. should go on?

**Sri F. H. MOHSIN.**—As long as such recruitment is going on we have to think in terms of areas. When the recruitment is on a non-area basis, we may not think in those terms. During the question-hour today we heard of the injustice that has been done to the integrated areas. That is why we are compelled to urge that a Member from the Bombay area should be there. As long as this kind of injustice goes on...

**Sri M. C. NARASIMHAN.**—I fully endorse the view of the Hon'ble Member, but with this rider: what is the period or should the ratio go on for ever?

**Sri F. H. MOHSIN.**—I am not supporting the ratio theory. I have no such feelings in my mind. I am only voicing the popular opinion entertained by people that some injustice has been done in the matter of recruitment. As long as this injustice continues, we have to voice public opinion. When there is equal treatment to all the areas regarding recruitment, the question of representation to a particular area does not arise at all.

**Sri G. VENKATAI GOWDA.**—Considering the treatment given by the Government of Mysore, is it not better to recruit people like our Chief Justice from outside Mysore?

**Sri F. H. MOHSIN.**—That would create more unemployment in our State.

**Sri M. C. NARASIMHAN.**—He is talking of unemployment in the P.S.C. cadre.

**Sri F. H. MOHSIN.**—I am not speaking other the members of the Public Service Commission but about the persons to be recruited by the Public Service Commission. I am putting forth before the Government my view to take one member from the Bombay area to redress the grievances.

**Sri M. C. NARASIMHAN.**—According to the constitutional provision, Government cannot appoint anybody; it is the Governor.

**Mr. SPEAKER.**—Please do not talk of Constitutional provisions; we know many more matters.

**Sri F. H. MOHSIN.**—As already stated there is a limited personnel in the Public Service Commission. It would be hard on Class III persons to come all the way to Bangalore for the interview and it should therefore be made possible for the members of the P.S.C. themselves to go to the districts and interview the candidates in that particular area. That would save the candidates the energy, time and money.

With these suggestions I support the Bill.

**†Sri S. D. KOTHAVALA** (Chikodi).—Mr. Speaker, Sir, I am rising to support the Bill and while doing so, I want to offer a few remarks.

**Sri C. J. MUCKANNAPPA** (Gubbi).—With your permission, Sir, before my friend begins his speech you promised

to give a ruling whether any member of the Public Service Commission or the whole body can be criticised or not. I think this matter is pending for the past 1½ years and the Bill is before us.

**Mr. SPEAKER.**—When the whole report will be discussed I have promised that I will give a ruling. Now if I feel that if anybody is going astray I can restrict him.

**Sri M. C. NARASIMHAN.**—While discussing this Bill are we precluded from referring to the august body of the P.S.C.?

**Mr. SPEAKER.**—What exactly is the scope of discussion can only be determined when we take up the report of the Public Service Commission. We are now concerned only with the general policy.

**Sri M. C. NARASIMHAN.**—I am aware of that, Sir. During the first reading of the Bill in the Assembly we will have to make comments on the Public Service Commission in general terms and not on any particular matter. I accept that. But in regard to the issue of consulting the Public Service Commission, I think we will have to justify why the Public Service Commission's advice cannot always be accepted.

**Mr. SPEAKER.**—You can say that. That has been already allowed.

**Sri S. D. KOTHAVALA.**—Mr. Speaker, Sir, while supporting the Bill I want to make a few observations. I welcome the Bill as it provides for two urgent matters. The procedure to be followed by the Public Service Commission is one point with which the Bill deals and the other point is the extension of the functions of the Public Service Commission to the Local Authority Services. I want to make a reference to salient matters to which the Hon'ble Member Sri Mohsin referred. The Public Service Commission in the Mysore State is called upon to perform a unique job. In Bombay the Public Service Commission is not bound to work for such a large number of services as in the State. The Public Service Commission in the State is

entrusted with a very large amount of work and its work is being extended to public bodies. The first suggestion I would make is that the strength of the personnel of the Public Service Commission should be increased. There are only three members as at present and it is for the Governor or the State to enhance the number of members.

**Mr. SPEAKER.**—The Governor makes the appointment.

**Sri S. D. KOTHAVALA.**—According to Article 316 the Chairman and members of the Union Public Service Commission are appointed by the President and in the case of the State it is the Governor that appoints. Therefore so far as our State is concerned, the Chairman and members of the Public Service Commission are appointed by the Governor. It is for the Governor in the State to make rules regarding the conditions of service of the members of the Public Service Commission and such other matters. Therefore my request to the Government and through the Government to the Governor is to enlarge the present number of members of the Public Service Commission. In the Bombay State when it became enlarged the membership was increased, I think, to five—I am subject to correction.

**Sri C. K. RAJIAH SETTY** (Chick naikanahalli).—Mysore is not as big as Bombay.

**Sri S. D. KOTHAVALA.**—But the Public Service Commission in Mysore is called upon to transact business ten times more. So far as the gazetted services are concerned, of course, the Bombay Public Service Commission is attending to that but here as my friend Sri Mohsin explained even Class III servants are being recruited through the Public Service Commission. I very much doubt whether that is in the fitness of things. Since it is accepted by the State I do not want to make any comments in the matter. As the matter stands, including that of Class III servants all appointments are referred to the Public Service Commission. Their duty is something colossal. The number of members should at least be raised to five, if not more.

Mr. SPEAKER.—The House will now rise and meet after half an hour.

*The House adjourned for recess at Three of the Clock and re-assembled at Thirty Minutes past Three of the Clock.*

[Mr. DEPUTY SPEAKER in the Chair]

Sri S. D. KOTHAVALA.—Mr. Speaker, Sir, I was making a reference to the volume of work before the Mysore Public Service Commission and I was saying that if the activities of the Commission were to be extended to the recruitment of Class III servants and also the servants of local authorities, then the present membership of the Commission would be sufficient for the purpose. There are two ways of meeting this difficulty. One way is to curtail and confine the work of the Service Commission to recruitment of Class I and Class II officers and officers who are expected to draw a pay of Rs. 200 or 250 and more as the present volume of work before them is stupendous. The other way is to increase the membership of the Commission considerably. Even if the membership is revised to 5 or even to 7 I doubt whether the Mysore Public Service Commission would be able to discharge the duties they are called upon to do efficiently. Hon'ble members who are associated with administration of local authorities and such other bodies complain that when there are vacancies in their office for a considerable time they are not being filled up because the Mysore Public Service Commission is not in a position to do the job expeditiously. I do not doubt the capacity and the efficiency of the members of the Mysore Public Service Commission, but the work before them is really stupendous. Therefore my plea is that the activities of the Commission should be confined to recruitment of big officers drawing a pay of Rs. 200 to Rs. 250 and more or at the most Class I and Class II officers.

Selection of Class III servants should be left to the departmental heads in the various offices or some other machinery should be created for this purpose. If this suggestion is not acceptable, then the only way of meeting the difficulty and making the machinery for recruitment efficient is to enlarge the membership of the Commission. It is for the Governor to enlarge the membership. As there is some confusion about this matter I shall read the provision of Article 318 of the Constitution of India:

“In the case of the Union Commission or a Joint Commission, the President and, in the case of a State Commission, the Governor of the State may by regulations—

(a) determine the number of members of the Commission and their conditions of service; and

(b) make provision with respect to the number of members of the staff of the Commission and their conditions of service.....”

So the Governor should amend the regulations, if necessary, to enlarge the present membership of the Commission. Some friends here have suggested that it is for the Governor to consider, but I want to say that in a parliamentary form of government the Governor usually acts on the advice of the Chief Minister. Therefore, it is for the Government to just consider the whole position and do the needful in the matter.

Then, Sir, the Hon'ble Member Sri Mohan drew the attention of this House to the recruitment since the day of the re-organisation of States. This House is aware that in reply to the question of the Hon'ble Member Sri Kabadi it was stated that 8200 and odd were recruited since the reorganisation of States and out of that 200 went to Belgaum area, 50 or 60 went to other areas and 8000 went to the old Mysore area. Even while answering interpellations respecting recruitment of Commercial Tax Inspectors, similar tendency is seen. The tendency is, nearly 3/4 has gone to the old Mysore area and a few to the Belgaum area and still few to the other areas of the State. It was stated



by the Hon'ble Minister that these appointments were not made on the regional basis. I very much appreciate this. But the position is that there is something wrong somewhere. It cannot be said that the Hyderabad area or South Kanara area or Coorg area is lacking in talent. It cannot be said that they do not possess the required qualifications and capacity to come for appointment in this State. It cannot be said also that there is no unemployment in those areas. So, there are candidates and it is just and proper that candidates from these areas are also recruited. I am not casting any aspersions on the Mysore Public Service Commission. Probably, the difficulty is that these jobs are not properly advertised. There is the other difficulty of securing the prescribed forms for applicants. It is said, at any rate, that steps are taken to secure proper representation for all areas. Though no regionalism should prevail in recruitment, it should not create an impression that they are not properly looked after or their claims are not properly considered and regarded. It is dangerous to create such an impression and belief in various parts of the State. Therefore, it is necessary that this House and the Government should see that proper and adequate representation is given to all regions and if anything is found out on investigation that proper representation is not given to the integrated areas, there must be some lacuna in the procedure or in some other matter, which should be rectified and that difficulty should be removed.

There is the other point, namely, the membership of the present Public Service Commission is not sufficient. I quite agree. As far as possible Members of the Public Service Commission should be drawn from all areas. My friend Sri Narasimhan wanted to know till what time this should be done. I would like to tell him, that it should be done till such time the State would attain a sort of psychological integration, emotional integration. It is my view that psychological, emotional integration is not reached.

L.A.

SRI M. C. NARASIMHAN.—The point is this. After all, the advice of the Public Service Commission is only consultation and it is not capable of being enforceable. When the Government is the ultimate authority, why not they have regional considerations in mind and do it? Why do you say that the composition of the Public Service Commission is the only thing that you want?

SRI S. D. KOTHAVALE.—I do not see that it is the only means of achieving it. It is a wrong understanding. I never said that it was the only one. Sir, he mentioned another proposition which is very dangerous. Government have thought it possible to follow the recommendations of the Public Service Commission unless they are for very good reasons to disagree. In each case Government are independent and there are provisions in the Constitution. Of course, Government have got to submit their report to the Legislature. The implication of the Constitutional provision is that, as far as possible, the State Government is bound by the recommendations of the Public Service Commission. If they differ, some reason will have to be given and the report to that effect will have to be made to the State Legislature. Therefore, I think Sri Narasimhan mentioned it in a lighter vein. Probably, he does not advise the Government of Mysore to follow the suggestion. Anyhow, till the psychological integration is reached, it is better, that as far as possible the Members of the Public Service Commission are drawn from all integrating areas of the Mysore State.

Sir, several persons have been asking for representation for the Scheduled Class people in the Commission. They say that their position is not properly safeguarded and for that purpose, they have been urging and requesting Government to have a member of the Scheduled Castes and Scheduled Tribes on the Public Service Commission. I think that also has to be considered. By making this suggestion, I do not mean to say that the Public Service Commission is not acting justly towards these classes. Of course, they have been doing it. But, in order to have a sort of sense of satisfaction, why

(SRI S. D. KOTHAVALA)

not have this? There is no difficulty in doing this.

Sir, one other point to be considered is this. In clause 12 of the Bill, there is a provision for the deputation of Members to be associated with any Committee or Board which may be set up to deal with recruitment or promotion. At present, there are only three Members. One Member goes to Belgaum and another to Hyderabad area. Of course, the sense of understanding may not be appropriate. One person may be very strict and the other may be liberal. Therefore, it is necessary, in the interest of justice, that at least the deputation may consist of two members. For this, it would become necessary for enlarging the membership. When there are only three members, if each of them go as to various areas, it would not be possible for him to do the work. It is necessary to have joint effort at the time of interviews. For doing so, it is necessary that the membership is enlarged.

Therefore, for that adequate provision is also necessary. Now, with respect to certain provisions here, I have got to say a word or two. The Hon'ble Member in charge was pleased to refer to clause 15. Clause 15 gives rule-making power to the Government in matters of procedure. In fact, it does not deal with only procedure. It deals with other things also.

Clause 15 says:

"In matters for which no provision is made in this Chapter, Government may make rules in consultation with the Commission; and subject to the provisions of such rules, the Commission may regulate its proceedings in such manner as it thinks fit."

Sir, it may be found that when there are no substantive provisions in this Bill, the Government wants to take power to make rules to supply that vacuum. I think such delegated legislation is not good.

Sri T. SUBRAMANYA.—They will make rules in consultation with the Public Service Commission.

SRI S. D. KOTHAVALA.—It is in respect of matters for which no provision has been made. Whether it is in consultation with the Commission or not, if the Government want power to make rules for things which are not provided for in the Bill, they must do it by an amendment. So, such a power, I am afraid, is unconstitutional and it is not strictly correct. On a similar occasion when I was speaking on some other Bill, I brought to the notice of the Member in charge that a similar provision was not correct and the decision of the Madras High Court was cited. The expression 'to carry out the purposes of this Bill' was there. The Hon'ble Member in charge may kindly consider this position. With respect to clause 5, there appears to be a small lacuna. It says:

"The Secretary shall prepare the agenda and convene the meetings of the Commission after giving notice to all the Members."

The duty is cast upon the Secretary to convene the meeting as well as to prepare the agenda. But there is no provision to call for a meeting either by the Chairman or the Members of the Commission. 'In consultation with the Chairman, the Secretary shall draw up the agenda' or some such thing should be there. The rules should provide for power to Chairman or any Member of the Commission to call a meeting and prepare the Agenda. The Secretary is bound by the order of the Chairman. But there is no such provision here.

SRI C. K. RAJIAH SETTY.—'In consultation with the Chairman,' we add.

SRI T. SUBRAMANYA.—Then he will cease to be Secretary.

SRI S. D. KOTHAVALA.—If that is so, why the Secretary should come into the picture?

SRI C. J. MUCKANNAPPA.—Under the instructions of the Speaker, the Secretary will issue summons to the Members of this House. So, under the instructions of the Chairman, the Secretary will draw up the agenda and issue notices to all the Members to

meet at such and such an hour to discuss such and such a thing.

**Sri S. D. KOTHAVALA.**—I am not saying that the provision is harmful. But my point is: why not say 'Chairman or the Members of the Commission'? Why does the Secretary come in here? It is for the Chairman to prepare the agenda or for the members of the Commission to prepare the agenda. It is for the Members to consider. One more thing. Proviso to sub-clause (1) of clause 17 says:

"Provided that the Government may make rules specifying the matters in which either generally or in any particular class of case or in any particular circumstances, it shall not be necessary for the Commission to be consulted."

Clause 18 says:

(1) "The Government may, in consultation with the Commission by notification in the Official Gazette make rules for carrying out the purposes of this Act."

Here the proviso to clause 17 (1) does not mention 'in consultation with the Commission'. There is no provision for consultation with the Commission. The wording of the proviso is the same as in proviso to Article 320 (3) of the Constitution. It says:

"Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor, as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted."

This proviso is practically the same as here. The words 'under the Act' in

18(1) has to be dropped because it is inconsistent with the proviso and bind the hands of the Government to consult the Public Service Commission in matters in which jurisdiction has to be excluded. With these remarks, I support the Bill before the House.

4 P.M.

**Sri V. P. DEENADAYALU NAIDU** (Cubbonpet).—Mr. Speaker, sir, Under clause 17, 'local authority' includes 'municipal corporation'. Therefore, I would like to stress the reaction of this Bill and the impact on the day-to-day administration of this institution. It may be very necessary therefore to just preface the existing advantages and disadvantages that are in vogue. The present Bill itself contemplates authorisation for appointments; in respect of appointments carrying less than Rs. 100, it is the Commissioner of the Corporation and any appointment carrying above Rs. 100 comes up before the corporation. Even with this autonomy that was given to the institution, it has not been possible to co-ordinate efficiency. There has been any amount of delay; the situation is either beyond control or the particular emergency is tided over, unattended to. Therefore, the crux of the whole problem so far as this institution is concerned, is the quickness with which one acts and my only difficulty is whether this procedure that we are adopting now would increase the efficiency of the administration or it will retard or delay the activity of the administration and perhaps ultimately it may not even be efficient in the manner in which it is contemplated. Why I say this is for this reason: basically this Bill is opposed to the autonomous status of the institution. That is my first point. I would like to be enlightened and to see how best we can get over the points that I have raised. From time to time there may be certain difficulties; but the difficulty that we are confronted with to-day is, how best we can strengthen and make the institution able, strong and efficient. In so doing, can we bring in any such measure which I feel may weaken the

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institution in its autonomy? But more than that, I am concerned about this. What about the discipline of the personnel that are recruited to this institution? If we are to think of the Public Service Commission to bring about discipline in the institution, I am afraid we may not be doing proper justice. Could we, as we are contemplating in this legislation bring about discipline in a quick manner? Could the officers particularly the Commissioner, the Engineer and the Executive Officers have any proper control and check over this type of recruitment unless they themselves have grip and control over these subordinates? How best that could be done either by way of rules or something, is left to the Government and the Ministry. Therefore, the first point that I raise is, we should bring about legislation without impeding to any extent the autonomous nature of this institution. Secondly, we must arm the executive authority which has got every thing to do in connection with the administration, with full control over these subordinates. By the time a certain defect is set right by the Corporation as a body, even the person against whom we would like to take some action goes scot-free. Now we are confronted with another serious situation of the Public Service Commission coming into the picture. Here the provision is:

“ Provided that the Government may make rules specifying the matters in which either generally or in any particular class of case or in any particular circumstances, it shall not be necessary for the Commission to be consulted.”

That would be another cause for some delay.

“ In the case of any difference of opinion between the Commission and a local authority on any matter, the local authority concerned shall refer the matter to the Government and the decision of the Government thereon shall be final.”

This again gives a very strong handle for the local authority to question the decisions of the Public Service Commission which we are now trying to bring about but at every time the local authority disagreeing with the decisions of the Commission, that itself contemplating any amount of delay, this going before the Government for another decision, again the Commission being heard or the local authority being heard, is another matter, because the Government will come to a final decision and when all this is done, what is the time lag, and what is the solution? Sometimes within six hours I must pull down and I must take immediate action. It is not as though we are going to build up files. Sometimes it requires oral explanation and action is to be taken within a few seconds. There must be certain powers vested in the executive authority. Unless they are given and armed with certain powers, it would not be to the interest of the local body to have a legislation of an omnibus nature. Therefore, my suggestion is, even though we are going to ask for legislation, it requires the Government to best one proper thought in respect of framing rules to get over all difficulties. Otherwise, we would be letting down the institution. My own fear is that the controversy that may crop up will take its own time to be solved, but in the mean time the situations and circumstances that will arise can never be overcome or solved and therefore, ultimately it will result in the institution working not efficiently but contrary to our expectations. Without any disrespect, I must say that persons who are deputed under Clause 12 should be persons of some experience in the affairs of local bodies. They should also be guided by the person who is there on the spot and who has some knowledge of local conditions. Recruitment may be of various types. Sometimes we want a man to do an urgent job and we cannot wait for the procedures to be followed before the work can be taken up. Either the work is done in the quickest possible time or it is not done at all. In such cases, the powers of the man-on-the

spot should not be curbed. Of course, if the appointment can wait and is to run over a long period, then we may follow the procedures.

There is yet another point to be borne in mind. If a municipal organisation does not approve of a particular person selected by the P. S. C. they may get over by asking, say the P. W. D. Minister to loan a person. The Corporation can either appoint and recruit or it may get a person on deputation. So also, if they are not agreeable to the person the Government deputed, they can get over by asking for direct recruitment. The Corporation consists of both people who are recruited and persons who are deputed. In the last resort, the Corporation may try to keep a post vacant because they do not like a particular person. All this results in loss to public because that particular work would not be attended to at all. I am sure, Government desires to maintain the autonomy of the institutions and also to maintain discipline at proper levels. This Bill may give further room for differences of opinion and result in wastage and inefficiency. I am sure, Government would rectify the mistakes while making rules. With this hope, I support the Bill.

†Sri M. C. NARASIMHAN (Kolar Gold Fields).—Sir, at the outset I must express my surprise at the conflict between the main provisions of the Bill and the Statement of Objects and Reasons. The Statement says “as respects the services of the State and also as respects the services of any local authority or other body corporate constituted by law or of any public institution”. As far as I can see, there is no mention in the Bill of ‘any public institution’ or any other body. I do not know how this serious omission or contradiction has arisen between the provisions of the Bill and the Statement of Objects and Reasons.

According to me, Chapter II is totally unnecessary. Article 321 speaks of ‘additional functions’ and does not say anything of procedure. It is difficult for me to believe that functions purely relate to procedure. Procedure is the

method to be followed in doing something. Function is the means to achieve the object. I find that Chapter II deals only with procedure. I am fortified in my argument when I read Article 320 which describes what functions are. Therefore functions have little to do with procedure. I do not quite see how we can pass an Act regulating the procedure which the Commission has to follow. I agree with my friend Sri Kothavale. The question of regulating the procedure should not arise here.

The other aspect has already been dealt with by my friends and I shall only make a few remarks in observation. The only other possible meaning that you can give for “additional functions” or that the Bill seems to suggest is the conduct of service examinations in respect of L. S. G. cadre and I believe it applies to other cadres also. Here again, it is not at all clear as to whether the examination that they want the Public Service Commission to conduct is a competitive one or what type of examination it is is not clear. I am raising this point because it is a very important thing. As it stands, it may be any type of examination they may conduct; it may be an oral or written examination; it may be a competitive examination or it may not be a competitive examination. For example, supposing a person goes before the Public Service Commission and stands first in merit; I should like to know if he is entitled, by way of right, to claim an appointment. As clause 16 stands, it is very clear and Government may argue that it is not at all incumbent on them to appoint such of those as stand first or have got priority in the order of merit. Here, “Commentary on the Constitution” by Basu which definitely relates to Article 320 says:

“Nothing is said in the clause as to whether examinations are to be selective or competitive in nature nor does the clause *per se* confer any right upon the candidates who stand highest in order of merit at such examinations”.

If this is the meaning or if this is the commentary on the wording under

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Article 321 which fortified in clause 16 of this Bill, let us be clear. When we say "examination" it is not "competitive examination". When this is the position, Government must say whether they stand for competitive examination or selective examination. I appeal to them, both in the name of efficiency and on other grounds, that it must be made very clear. At least let them say, if they want to safeguard representation to backward communities or other communities which they are bound to do under the Constitution and which they are bound to declare as a public policy, that a particular proportion of the services is purely on the basis of selective examination and not on the basis of competitive examination. Simultaneously, let them also say that a particular proportion of the services should be by competitive examination. I want them to clarify what exactly is their intention.

The other point is whether it applies to entire L. S. G. cadre or any particular cadre of the local authority. The Hon'ble Minister has already clarified that it does not apply to class IV servants and I think his intention is to bring class III and other services within the competence of clause 17. Here again as urged by Sri Deenadayalu Naidu we are taking away by several ways by various means, the autonomy of the L. S. G. institutions. This is not the only thing; there is already the question of loans. After all autonomy can be exercised by an institution if it is independent from the financial point of view. If the Government is serious about conferring autonomy under the rule making power, I believe that it is necessary to exempt certain categories. I have no hesitation in saying that certain categories will have to be exempted. I am aware that there are two trends of opinion expressed in this House; one is that all appointments should be made through the Public Service Commission; the other is that in the case of certain appointments they ought not to be made through the Public Service Commission but should

be left to the discretion of the Government. Sir, on a balance of consideration and looking at it from a practical point of view it would be very difficult to take extremist positions in this matter for one reason and that is this; the Public Service Commission does not consist, as I will show presently, of angels nor does Government consist of angels. At times it is as bad as the Public Service Commission. Because the Public Service Commission is supposed to be constituted in a particular manner we are led to believe or some persons want us to believe that it is always very good. But if you see the composition of the Public Service Commission, I have no hope and I cannot boldly come to the conclusion that it is as good as the High Court and that it is as impartial as the High Court. Its performance also does not lead me to believe and I cannot *prima facie* come to the conclusion taking the performance into account that it will not err and that it will do justice. In this very House incessantly it is being urged that regional representation ought to be the prevailing factor in the matter of appointment of members of P. S. C. and when these people have no confidence in the constitution of the Public Service Commission, let us face facts and let us have conclusions from the statements made by responsible members in this House. I did not mean anything to Sri Kothavale and Sri Mohsin; I only wanted to draw their attention to the implications of what they mean. In other words it means "we do not have confidence in the Public Service Commission as capable of doing justice to all areas." I am only saying for the purpose of coming to a conclusion that the personnel of the Public Service Commission are not angels. From that point of view, when they are drawn from the service cadre I am sure that they will be influenced by the Minister. I know that not a day passes without any of the ministers of the Cabinet phoning the Public Service Commission members.

SRI T. SUBRAMANYA.—Will you take responsibility for that statement?



Sri M. C. NARASIMHAN.—I am not accusing the Hon'ble Minister who is piloting this Bill.

Sri T. SUBRAMANYA.—You have said that not a day passes.....

Sri V. SRINIVAS SHETTY (Coondapur).—The gaps may be wider. (Laughter)

Sri M. C. NARASIMHAN.—I only used a hypothetical expression. You may not have phoned today. But I do take the responsibility for this. I do not say that I am a person who does not approach the Public Service Commission. I know that representation is first made to Ministers and I have myself seen them phoning to the Members of the Public Service Commission. After all we are human; representations are being made. What is wrong? When we draw the entire Public Service Commission cadre mainly from the services as we have done in Mysore, State it is very difficult to maintain that they are angels. I do not like to say that they should be there like Caesar's wife. If they are drawn from the judiciary that will lead to a different situation. So I do feel that taking all criticisms into account and as suggested by Sri Venkatai Gowda there is a case for drawing the personnel of the Public Service Commission cadre from outside the State.

I believe under the provisions of this Article they are not precluded from so doing. The Governor can draw people from outside the State. Perhaps, in such a situation if the members of the Public Service Commission are drawn from outside the State it may be possible—even then I do not hold brief for it to expect a certain amount of justice. I do feel that it is not necessary to carry these things too far.

4-30 P.M.

On the other hand, I will go to this extent of pointing out from the report of the Public Service Commission for the year 1956-57 that there have been any number of instances where the Government have turned down the advice tendered by the Public Service Commission. They often declare that there is not a case where they have

turned down the advice of the Public Service Commission. For all that I know they have done that on several occasions, but the Hon'ble Minister in charge will come forward and say "we never did it". I am not saying that he did it or did not do it, but as a responsible member of the Cabinet he has got to take the responsibility for what his previous colleagues had done. The report for 1956-57 shows that at least in 6 cases there was non-acceptance of the advice of the Commission and in 5 cases non-consultation and in 3 cases infringement of appointments of various officers. These are the only cases which have been pointed out by the Commission. In the Public Service Commission Regulations issued in 1958 there are a number of appointments outside the purview of consultation with the Public Service Commission. There are at least 60 such appointments in Annexure 2 and 8 in Annexure I of the Regulations. Whenever we contend on the floor of this House that there are cases where the Public Service Commission have not been consulted or where the lawful advice tendered by the Public Service Commission has not been respected, we are always told that it is not so, but you must see who has really stated the truth and who has failed to state the truth in this matter.

Looking to the report, I want to make a passing criticism of the Public Service Commission. I do not want to go into the details, but there was a case where a person died in rather accidental circumstances. It was a case where a certain amount of commiseration ought to have been shown by the Public Service Commission. Government wanted some sympathy to be shown by the Public Service Commission in the matter of paying some compassionate gratuity to the family of the deceased, but the Public Service Commission did not agree to it. It was acting as though it was doing something sacred. I do not know what was the sanctity behind their argument. This is a body which is supposed to do a certain amount of social justice. I do not know how such a body could be justified when it refused to agree to the

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payment of a compassionate gratuity to the family of a person who died in accidental circumstances while on duty. This instance shows beyond reasonable doubt that the Public Service Commission also is capable of committing some errors as anybody else.

Then, there is another important question and that also pertains to the functions of the Government. There is a constitutional obligation under Article 335 whereby the representation to the Scheduled Castes in the services ought to be guaranteed. I am raising this point in connection with this Bill because this is a thing which the Public Service Commission itself has got to do. The question is whether it has succeeded in doing this or not. The answer is that it has failed to do this according to my opinion. For instance, in the 1955-56 report we find that the representation of Scheduled Castes in services in the old Mysore area was 5.6% and in 1956-57 for which the Public Service Commission has given us its report the representation of Scheduled Castes was only 6.12%. I am quoting this figure only to show that the Public Service Commission has not justified its existence and it has failed to fulfil the obligation cast on it in regard to representation of Scheduled Castes in the services.

I would also say that the Government also is equally responsible for this failure to give adequate representation to the Scheduled Castes. Even though there is this constitutional obligation under Article 335, it is not at all necessary for the Government to consult the Public Service Commission. Article 324 is clear on this point. Government is prepared not to take the advice of the Public Service Commission in various matters even when there is a constitutional obligation to do so, but when the Government has got a definite right not to consult the Public Service Commission in regard to representation of Scheduled Castes in the services, why does it not come forward and exercise that right and see that the Scheduled Castes are properly represented in the Services?

It can appoint Scheduled Caste candidates even without reference to the Public Service Commission and discharge its constitutional obligations. I do not know why the Government has failed to do that.

Then, Sir, oftentimes we hear that proper candidates are not available. This is stated in the report of the Commission also. If proper candidates are not appointed, efficiency of the services will suffer. The failure to fill up the vacancies with proper candidates will result in many of our development works suffering to a considerable extent. In such cases where the Public Service Commission has not been able to find out proper candidates, why should the Government not come forward and appoint suitable candidates and see that development works do not suffer?

Lastly, Sir, we find a large number of what are called 'local candidates'. I have seen that almost all the offices have got this disease of local candidates.

Sri C. J. MUCKANNAPPA.—If the power of making appointments of Scheduled Caste officers is given to Government and if the Government misuses that power, what is the remedy?

Sri M. C. NARASIMHAN.—They may make a certain regulation and the Government should be given the power to make appointments of Scheduled Caste persons within the terms of those regulations. The procedure of consultation with the Public Service Commission takes a very long time. Even the Public Service Commission cannot interview all the candidates. Even with the best of intentions the Public Service Commission has not been able to do that. So there is no harm in giving this power to Government by making suitable regulation.

Then, clause 18 (3) says that "all rules made under this Act shall be laid as soon as they are made before each House of the State Legislature while it is in session, for a total period of thirty days. . . ." I do not know why there is this necessity of making this limitation of 30 days. Take for instance the current session. It may not last

30 days. I do not see why these rules should not be laid before the House immediately when the House meets after these rules are made, without any limitation of 30 days. After all, it is only just bringing these rules to the notice of this House and we may not even discuss them unless anybody feels very strongly about them. In these days where there is so much of legislation, I do not see any necessity for making this limitation of 30 days in respect of this matter.

Then there is one other matter to which I want to refer and that is clause 14 which speaks of "action in urgent cases." I have already said that the whole chapter is out of order. The clause speaks of action in urgent cases, but I cannot understand what these urgent cases are.

With these words I conclude.

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—Sir, much has been said about this Bill. There is not much for me to say, except a few points. Sir, when Government is extending the functions of the Public service Commission, they have actually crippled the Commission. Government of Mysore have sent a note to the Public Service Commission not to recruit. This has been done after the High Court quashed the Communal G. O. When the Government have issued such a note to stop recruitment, where is the necessity of Government bringing this Bill to give additional functions to the P.S.C.? I am not able to understand the intention of the Government. Sir, this note is against the Constitution also. If the High Court has quashed the communal G.O., recruitments should be made on merits and merits alone. So far as appointments to the Scheduled Castes are concerned, they can carry on in accordance with the reservation principle. Instead of that, they have asked a constitutional body not to function. My friend Sri Kothavale was talking about the procedure for the appointment of members of the Public Service Commission, which is in the hands of the Governor. But they have even gone beyond the Governor's power. I think, some time

this Government will occupy the Chair of the President of India. (*Laughter*).

Regarding the additional functions of the Public Service Commission they were already there. The Municipalities abide by the rules and procedure of the Public Service Commission. The Deputy Commissioner is the appointing authority for the Municipalities. For the Corporation of Bangalore and the City Improvement Trust Board, appointments are made not through the Public Service Commission. Therefore, they have brought this small Bill.

Sir, I would like to impress upon this House one very important point and that is, politicians should not be allowed to associate themselves as Members of this Commission. This should be the principle whether it is the Public Service Commission or any other Board such as the Electricity Board and so on. If a politician is put there, he will be always loyal to the party to which he belongs and he cannot be impartial in the matter of recruitment. Therefore, you should avoid appointing politicians to the Public Service Commission in particular. Sir, it is said that Articles 320 and 321 of the Constitution empower the Government to enact legislation to give powers to the Public Service Commission. the power to function in respect of recruitment to local authorities and other bodies constituted by Government. I would suggest that Government industries should also be included under this. For instance, K.G.F. undertaking is not under the purview of the Public Service Commission. All appointments are made either by the Chairman or the Vice-Chairman or the Managing Director. The Mysore Iron and Steel Works, Bhadravati and the Khadi Board, the Electricity Board and so on—recruitment in the case of all these should be within the purview of the Public Service Commission.

Sir, regarding the membership of the Public Service Commission, as you are well aware, their term is six years and they can continue till the age of 60. If an official member is appointed from the Government side, at the age of 40

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or 45, he will remain there for 15 or 20 years. If there is conflict between the Public Service Commission and the Government, the Members are not subject to transfer. Now that Government appears to be seriously thinking about increasing the number of Members of this Commission, they should bear this point in mind. There is another point also in this. At present, only two major communities are represented, so far as the Members are concerned, in the Public Service Commission. Sri Kothavale suggested that membership of the Public Service Commission should be on the regional basis. Tomorrow, some other Member may suggest that it should be on communal basis. As a matter of fact, today it is existing on communal basis only. In the S. R. Act it is said that the Governor of a State should not be a native of that State. Similarly, here also, I suggest, the Members of the Public Service Commission should not be the natives of that State. It may appear strange to the Hon'ble Law Minister.

Sri T. SUBRAMANYA.—Why? I may agree with you! 'May' includes 'may not' also. (*Laughter*)

Sri C. M. ARUMUGHAM.—Sir, for every appointment there is keen competition. Even in the formation of Government, as you are aware, it is formed on communal basis. A member from the majority community of the State will be made the Leader of the House. Therefore, my suggestion is, that the Members of the Public Service Commission should be drawn from other States and it should be subject to transfer.

Sir, Sri Narasimhan said that every day letters would go from the Ministers to the Members of the Public Service Commission in the matter of recruitment of their men. I do not want to name the Minister, but a Minister sent a note to the P.S.C. to appoint a peon. That is why, it is always better to draw men from outside and we can send the present Members to other States.

Sir, Government say that according to constitutional provisions, they consult the Public Service Commission. But, I can tell you, Sir, several appointments have been made without consultation. A day will come when they will make all the appointments without consulting the Public Service Commission and simply keep the Commission idle. For instance, in the Planning and Development Department, even gazetted posts are filled up directly by Government themselves. Sir, if this is the attitude of Government, where is justice and equality of opportunity? When I say Government, I mean only Congress Party. Government makes appointments means, appointments made by Congress. Sir, yesterday or day before yesterday, when somebody said that in the name of political sufferers lands were being given only to Congress-men, several members from the other side said 'no, no'. There is the definition of the term 'political sufferer'. Is it meant for Congress and Congress-men alone?

Mr. DEPUTY SPEAKER.—Why land question here?

Sri C. M. ARUMUGHAM.—I fear they are making appointments from among the Congress people. The term 'political sufferer' means 'any person who had gone to jail or suffered substantial loss of property or income in the cause of Indian independence or the establishment of responsible Government in Mysore as a result of taking part in movements launched from the year 1938 and onwards and sponsored by the Indian National Congress or by the Mysore State Congress.' This is a rule made under the Land Revenue Code to allot lands to political sufferers. If you leave these powers to Government to make rules they make rules to suit their convenience.

Sri T. SUBRAMANYA.—That is a definition for 'political sufferer'. He may be in the Congress; he may have gone out of the Congress. He might have been in the Congress but not suffered; he may not have been in the Congress but yet suffered. Such a person will be entitled to this concession. Supposing during the political struggle people not belonging to the

Congress had suffered and they are not in the Congress; still they will be entitled to this concession. Whoever has suffered substantial loss or gone to jail during those movements started by the Indian National Congress and the Mysore Congress will be entitled to the concession.

**Sri V. SRINIVAS SHETTY.**—Why only during this movement? Why not the independence movement that is started by some other political party?

**Sri T. SUBRAMANYA.**—I am not aware of such movement. The rule says that every one who suffered during these movements, be he a Congressman or not, whether he was in the Congress at that time or not, is entitled to those privileges.

**Sri V. SRINIVAS SHETTY.**—He wants a certificate.

**Sri B. K. PUTTARAMIYA** (Channapatna).—We know who are your authorities for recommendation.

**Sri C. M. ARUMUGHAM.**—According to the rule, the District Congress or the Taluk or the Mandal Congress should certify, if anybody applies for land. I am saying how Government is misusing and abusing their position to get things done for their own party men.

**Sri T. SUBRAMANYA.**—You are entitled to say that, but that is far from truth.

**Sri C. M. ARUMUGHAM.**—Let them appoint a committee to go into this matter and find out during a particular time how many lands have been allotted and take out the names of persons to whom land has been allotted. You will definitely know that most of them are Congress. Not only Government but all appointments where Government has got interest, in all Boards, commercial concerns, etc., shall be made through the Public Service Commission and the Planning and Development Department also should be included. Planning and Development Department is a department of Government. I do not know why the Government themselves have taken the power to make appointments in that department. If the Minister were to take the power in making appointments, I do not think he would do any

justice for the State and the community.

According to the rules prevailing in the State for granting extension of service to the retiring persons for more than one year, they must consult the Commission, but as it is, in several cases they have not consulted the Commission. If the Chief Engineer is to retire, why do you give him one year's extension of service or if some other Head of Department has to retire after completing 55 years of service, why do you give him extension? Is there no other competent person to take his place? what about the Superintending Engineer, the senior-most man in the department.

**Sri T. SUBRAMANYA.**—What is my friend discussing? The question of giving extensions is not before the House. If you feel that we have not consulted the Public Service Commission in a matter in which we ought to have consulted them, bring it to our notice; show me one instance where we ought to have consulted the Commission and we have not consulted them, then I will admit the guilt.

**Sri C. M. ARUMUGHAM.**—In the matter of giving extension of service to an officer, you must consult the Commission.

**Sri T. SUBRAMANYA.**—How do you know that we have not consulted the Commission? When we wanted to give an extension to my own Personal Assistant because of a resolution passed as he had lost Two to three years in his age because of certain findings, even in such a case before the Cabinet gave six months' extension to this official, it had consulted the Commission. Even in such small matters we have consulted the Commission. Mere assertion does not become truth.

**Sri C. M. ARUMUGHAM.**—In making appointments in the Planning and Development Department, you please consult the Commission.

**Sri T. SUBRAMANYA.**—I may tell you at this moment that the Planning and Development Department is a temporary department and it may be closed at any time. Therefore, they have been recruiting directly without

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consulting. Even there we have said that the proportion to backward classes, scheduled classes and all those things shall be kept up.

Sri K. HANUMANTHAIYA (Ramanagaram).—May I bring to the notice of the Minister that the Planning and Development Department is not temporary? Planning has come to stay. Plan after plan will come and it is as much a permanent department as any other. Though Government may not have taken that decision de jure, the fact remains that it is a permanent department.

Sri T. SUBRAMANYA.—It does not alter matters. I am sorry to tell you that we have till to-day considered it as a temporary department. It may become permanent. I have no objection personally to the matter coming up for consultation before the Commission even in such matters. That is a different matter, but I am stating that we have not consulted the Commission in regard to the Planning Department because we have considered it till today as a temporary department and if it is to become permanent, it will become permanent.

5 P.M.

ಶ್ರೀ ಎನ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ಈಗ ತಾವು ಪ್ರೋಟೆಸ್ಟ್ ಉಳಿಸಿಕೊಂಡು ಹೋಗಬೇಕೆಂದು ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್ ಕೊಟ್ಟಿದ್ದೀರಂತೆ ಹೇಳಿದಿರಿ. ಆ ರೀತಿ ಉಳಿಸಿಕೊಂಡು ಹೋಗಿರುವುದು ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ?

ಶ್ರೀ ಟಿ. ನುಬ್ರಹ್ಮಣ್ಯ.—ಈಗಂತೂ ಆಗುತ್ತಿದೆ. ಮೊದಲು ಏನು ಆಗಿತ್ತೋ ಗೊತ್ತಿಲ್ಲ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಪ್ಪಪ್ಪ.—ಈಗ ಎಂದರೆ ಎಷ್ಟು ದಿವಸಗಳಿಂದ?

ಶ್ರೀ ಕೆ. ವಿ. ರೇವಣ್ಣ ಸಿದ್ದಪ್ಪ (ತಿಪಟೂರು).—ಮುನ್ನಾದರೂ ಮಕ್ಕಳನ್ನು ಮಗು ಎಂದು ಹೇಳುತ್ತಾರೆ. ಹಾಗೆ ಈ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್‌ನ್ನು ಚಿಂತರರಿ ಎಂದು ಒಬ್ಬೊಬ್ಬರನ್ನೇ ತಪ್ಪುತ್ತಿದ್ದಾರೆ.

Sri C. M. ARUMUGHAM.—The presumption of the Government is that the Department itself is temporary and on account of that, they have treated as temporary till to day. There is a lot of irregularity in this Department. If they want let them go through the entire thing and submit a report to Government. So long as there are human beings, there will be Planning

Department. If the Planning Department is temporary, which other Department can become permanent? As a matter of fact even the Ministry is temporary.

Sri C. J. MUCKANNAPPA.—The Hon'ble Minister for Law very stoutly protested against the question put by us. Shall I bring to your kind notice the appointment made by this Government? They have taken it away from the purview of the Public Service Commission and appointed a person who is 48 years as Principal of the Mandya College on Rs. 400.

Sri T. SUBRAMANYA.—I will enquire.

Sri C. J. MUCKANNAPPA.—The name of that person is Dr. Hudly. You said that in view of his special qualifications and a number of degrees you have appointed him. Is there any other blunder worse than that?

Sri T. SUBRAMANYA.—I told you that I did not know the facts and that I would look into the matter and tell you tomorrow.

Sri G. VENKATAI GOWDA.—What was the special necessity to take it away from the purview of the Public Service Commission? We are not particular about the man you have appointed.

Sri C. J. MUCKANNAPPA.—When the contingency has arisen and when we are very stoutly protesting, what is the good of replying tomorrow? Under what circumstances, you took out this appointment from the purview of the Public Service Commission?

Sri T. SUBRAMANYA.—I will let you know tomorrow.

Sri C. M. ARUMUGHAM.—There was an inspectorate attached to the Public Service Commission and they were inspecting unit offices to find out whether promotions made or appointments made in those officers have been properly made or not. Since two years, that Inspectorate has not been functioning and nothing has been stated in this Bill. There are several irregularities committed so far as the promotions are concerned. The very fact that several officers are filing writ petitions in the High Court shows that there are irregularities. Further



they are also not adopting any procedure so far as appointments are concerned. Therefore, I suggest that a provision be made here to increase the strength of the Inspectorate. They must inspect the unit offices every month or every year so that they might go round every district and find out irregularities and submit a report to the Government. With these few remarks, I trust the Government of Mysore will consult the Public Service Commission in all matters; even the appointment of peons should not be left in the hands of the Minister or the Head of the Department. It should be made through the Public Service Commission. Now, if the strength of the Public Service Commission is not adequate, it may be increased. Perhaps it is a question as to whose group should be there. When you are able to make recommendations in respect of the High Court, when you are able to give officers to the Government of India stating that they are your candidates, I think you can find proper persons for the Public Service Commission also. Very recently, your Chief Secretary, due to his competence has gone as Advisor to the Governor of Kerala. Cannot you find one or two members for the Public Service Commission, and make them effective and efficient? So many recruitments are now pending. They are not able to do it. Therefore, in the best interests of the State and Administration, it is better to increase the number of members of the Public Service Commission. With these few remarks, I close.

**Sri T. SUBRAMANYA.**—There are several points. In fact, I am in charge of this Bill today and several of the points raised by Hon'ble friends, I feel, have to be accommodated to make this Bill acceptable to all people, and according to my inclination also. Therefore, I would request the House to refer it to a small Select Committee of this House alone which many sit for a day or two and submit its report.

**Sri B. K. PUTTARAMIAH** (Channapatna).—It will take another day for discussing that report.

**Sri K. HANUMANTHAIYA** (Ramanagaram).—I support what the Hon'ble Minister has been pleased to say. This has to be referred to a Select Committee. It involves matters of high policy. I am very glad that this Bill has been brought before this House. I want to make a few suggestions.

**Sri B. K. PUTTARAMIAH.**—I am speaking. I am on my legs.

ನನಗೆ ಇದರಲ್ಲಿ ಅಷ್ಟು ಮಾತನಾಡುವ ಅವಶ್ಯಕತೆ ಏನೂ ಇಲ್ಲ. ಈ ಬಿಲ್ಲನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಕಳಿಸುತ್ತಾರೆಂದು ಕೇಳಿದೆ. ಈ ಬಿಲ್ಲನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸಿ ತಿರುಗಿ ಅಲ್ಲಿಂದ ಬಂದು ಇನ್ನೊಂದು ಸಲ ಡಿಸ್‌ಕಸ್ ಮಾಡುವುದರಿಂದ ಏನು ಫರುಷಾರ್ಥ ಇದೆ? ಈ ಬಿಲ್ಲನ್ನು ಡಿಸ್‌ಕಸ್ ಮಾಡುವ ಕಾಲದಲ್ಲಿ ಬೇರೆ ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ಆಗುತ್ತದೆ. ಅಷ್ಟು ಬೆರಗನ್ನು ಬಿಟ್ಟು ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸುವುದರಲ್ಲಿ ಏನು ಅರ್ಥ ಇದೆ ಎಂಬುದು ಗೊತ್ತಾಗುವುದಿಲ್ಲ.

**Sri T. SUBRAMANYA.**—I rise to a point of order. Members are talking about things which the Government ought to have done and which they have not done. Their speech seems to be a sort of criticism of the Government. We are now discussing the Bill. They will have ample opportunity to criticise the Government, when the Report of the Public Service Commission comes before the House for discussion.

**Sri B. K. PUTTARAMIAH.**—I would discuss only the Bill and not out-of-the-way.

**Sri T. SUBRAMANYA.**—My young friend on the other side is already smiling. He has six faces. I am referring to Sri Arumugham. (Laughter).

ಶ್ರೀ ಬಿ. ಎಸ್. ಮೂಡಲಗಿರಿಗೌಡ.—ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ರಿಪೋರ್ಟ್ ಎರಡು ವರ್ಷಗಳಿಂದ ಇಲ್ಲಿ ಚರ್ಚೆ ಆಗುತ್ತಲೇ ಇದೆ. ಈ ವಿಧೇಯಕದಲ್ಲಿ ಮತ್ತೆ ಅಡಿಪಾಯ ಪಾವ್ಸನ್ನು ಅವರಿಗೆ ಕೊಡುತ್ತಲೇ ಇದ್ದೀರಿ.

**Sri C. J. MUCKANNAPPA.**—The discussion is not out of the scope, Sir.

**Sri T. SUBRAMANYA.**—I have no objection. I raised my little voice in saying that these matters might be discussed at the appropriate time, which you will have during this session.

ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ.—ಸ್ವಾಮಿ, ಸರ್ಕಾರದವರು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಎಂದು ನೇಮಕ ಮಾಡಿದ ಮೇಲೆ, ಅವರಿಗೆ ಅಪಾಯಿಂಟ್ ಮೆಂಟುಗಳ ಅಧಿಕಾರ ಕೊಟ್ಟು ಮೇಲೆ, ಅವರು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಲ್ಲಿ ಸಂಪೂರ್ಣವಾಗಿ ನಂಬಿಕೆ ಇಟ್ಟುಕೊಂಡೇ ಅದನ್ನು ರಚನೆ ಮಾಡಿರುತ್ತಾರೆ. ಆದರೆ ಈ ಬಿಲ್ಲಿನಿಂದ ಒಂದು ವಿಷಯ ವ್ಯಕ್ತವಾಗುತ್ತದೆ, ಸರ್ಕಾರ ಈ ರೆಕ್ರೂಟ್ ಮೆಂಟ್ ವಿಷಯದಲ್ಲಿ ಕೈಹಾಕುತ್ತಿದ್ದಾರೆಯೆಂದು. ಹಿಂದಿನಿಂದ ಇದುವರೆಗೂ ಈ ವಿಷಯದ ಬಗ್ಗೆ ಸರ್ಕಾರದವರು ಕೈಹಾಕುವುದಿಲ್ಲ, ಇದಲ್ಲವನ್ನೂ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ಬಿಡುತ್ತಿದ್ದೇವೆ ಎಂದು ಹೇಳುತ್ತಾ ಇದ್ದರು. ನಿಮಗೆ ಅಂತಹ ಮನಸ್ಸು ಇಲ್ಲದಿದ್ದರೆ ಈ ವಿಧೇಯಕದ ಸೆಕ್ಷನ್ (12)ನ್ನು ಹಾಕುವ ಪ್ರಮೇಯ ವೇನಿತ್ತು. ಅದರಲ್ಲಿ ಏನು ಹೇಳಿದೆ ಎಂಬುದನ್ನು ಓದಿ ಹೇಳುತ್ತೇನೆ. ಅದು ಈ ರೀತಿ ಇದೆ. “The Commission may depute one or more of its Members to be associated with any Committee or Board which may be set up to deal with problems relating to recruitment or promotion.” ಇದು ಯಾವ ನ್ಯಾಯ? ಇದರಿಂದ ಏನು ಅರ್ಥವಾಗುತ್ತದೆಂದರೆ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನವರ ಅಧಿಕಾರದ ಮೇಲೆ ನಿಮಗೆ ಬೇಕಾದವರನ್ನು ಅಥವಾ ಕೆಲವರನ್ನು ಇಟ್ಟುಕೊಳ್ಳುವುದಕ್ಕೆ ಇದನ್ನು ಈ ಮನೋದೆಯಲ್ಲಿ ಸೇರಿಸಿದ್ದೀರಿ ಎಂಬುದು. ಇದನ್ನು ತೆಗೆದು ಹಾಕಿ ಬಿಡಿ. ಅವರಲ್ಲಿ ನೀವು ಒಂದು ನಂಬಿಕೆ ಇಟ್ಟುಕೊಂಡಿರುವಾಗ ಇನ್ನೊಂದು ನಂಬಿಕೆ ಇಟ್ಟುಕೊಂಡಿರುವಾಗ ಅಥವಾ ಬೋರ್ಡಿಗೆ ಒಬ್ಬ ಮೆಂಬರನ್ನು ಡೆಪ್ಯೂಟ್ ಮಾಡಿ ಎಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ. ಇದರಲ್ಲಿ ರೆಕ್ರೂಟ್ ಮೆಂಟ್ ಮತ್ತು ಪ್ರಮೋಷನ್‌ಗೆ ನಂಬಂಧಪಟ್ಟ ವಿಷಯಗಳನ್ನು ಇತ್ಯರ್ಥಗೊಳಿಸುವುದಕ್ಕೆ ಎಂದು ಬೇರೆ ಹೇಳಿದ್ದೀರಿ. ನಿಮ್ಮ ಉದ್ದೇಶ ಏನಿದೆ ಎಂಬುದನ್ನು ನೀವು ಬಾಯಲ್ಲಿ ಹೇಳಬಹುದೇ ಏನಾ ಕಾರ್ಯದರ್ಶಿಗೂ ಮಾಡುವುದಿಲ್ಲ. ಇನ್ನೂ ಮುಂದೆ ಒಂದು ವಾಕ್ಯವನ್ನು ಹೇಳಿದ್ದೀರಿ. ಅದು ಈ ರೀತಿ ಇದೆ. “Provided that where consultation with the Commission is required on any point, the recommendations of the Committee or Board shall be forwarded to the Commission for advice.” ಈ ಕ್ಲಾಜು ಇಲ್ಲಿ ಏಕೆ ಬಂದಿದೆ? ಒಂದು ವೇಳೆ ನಿಮ್ಮ ಮಂತ್ರಿ ಮಂಡಲದಲ್ಲಿ ಯಾರನ್ನಾದರೂ ಒಬ್ಬ ದೊಡ್ಡ ಅಫೀಸರನ್ನು ಅಪಾಯಿಂಟ್ ಮಾಡತಕ್ಕ ವಿಷಯದಲ್ಲಿ ಏನಾದರೂ ನಿಮ್ಮಲ್ಲಿರ ಬಹುತ ಸರಿಯಾಗಿಲ್ಲದಿದ್ದರೆ, ಇಂತಹ ಜಾತಿಯವರನ್ನು ನೇಮಕ ಮಾಡಬೇಕೆಂದು ಡೆಫಿನಿಟ್ ಮಾಡಿದ ಮೇಲೂ ಕೂಡ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ಹೋಗಿ ಅದು ಆಗಕೂಡದು ಎಂದು ಹೇಳಿದ ಮೇಲೂ ಪುನಃ ಸರ್ಕಾರಕ್ಕೆ ವಾಪಸ್ಸು ಬಂದು ಮಂತ್ರಿ ಮಂಡಲದಲ್ಲಿ ಅನೇಕಸಾರಿ ಬದಲಾವಣೆ ಯಾಗಿದೆ. ಮಂತ್ರಿಮಂಡಲದಲ್ಲಿ ಕೆಲವು ಅಪಾಯಿಂಟ್ ಮೆಂಟುಗಳ ವಿಷಯದಲ್ಲಿ ಮೂರು ನಾಲ್ಕುಸಾರಿ ಕಮಿಷನ್‌ಗೆ ಕಳುಹಿಸುವುದು, ಪುನಃ ಅಲ್ಲಿಂದ ವಾಪಸ್ಸು ಬರುವುದು. ಕೊನೆಯಲ್ಲಿ ಜಾತಿಯ ಆಧಾರದಮೇಲೆ ಅಪಾಯಿಂಟ್ ಮೆಂಟ್ ಕೊಡುವುದು. ತಮ್ಮವರು

ಯಾರು ಇದ್ದಾರೆಂದು ಲಿಸ್ಟನ್ನು ಚೆನ್ನಾಗಿ ನೋಡಿ ಕೊಡುವುದು—ಈ ರೀತಿಯಾಗಿ ನಡೆದಿದೆ. ಅಷ್ಟಕ್ಕೆ ಮಾತ್ರ ಆ ರೀತಿ ಉಪಯೋಗಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಇದನ್ನು ಇಲ್ಲಿ ಸೇರಿಸಿದ್ದಾರೆ. ಆದುದರಿಂದ ಈ 12ನೆಯ ಕ್ಲಾಜನ್ನು ಪೂರ್ಣ ತೆಗೆದುಹಾಕಬಿಡಿ. ಅವರು ಶಿಪಾರ್ನು ಮಾಡುವುದೆಲ್ಲಾ ಪ್ರತಿಯೊಂದು ಅಂಶ ವನ್ನೂ ಎಗ್ಜಾಮೀನ್ ಮಾಡಿದ ಮೇಲೆಯೇ. ಆದುದ ರಿಂದ ಅವರು ಯಾರನ್ನು ಯಾವ ಕೆಲಸಕ್ಕೆ ನೇಮಕ ಮಾಡುತ್ತಾರೋ ಅದನ್ನು ಸರ್ಕಾರದವರು ಒಪ್ಪಿಕೊಳ್ಳ ಬೇಕು. ನೀವೇ ಅಪಾಯಿಂಟ್ ಮಾಡುವುದಾದರೆ ಅವರೇಕೆ ಇರಬೇಕು? ನಿಮ್ಮನ್ನು ಸ್ಪೆಷಲ್‌ಗಾರ್ಡ್ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಮತ್ತು ನೀವು ಮುಖ್ಯ ನೌಕರಿಗಳನ್ನು ನಿಮಗೆ ಬೇಕಾದವರೇ ಕೊಡುವುದಕ್ಕೋಸ್ಕರ ಈ 12ನೆಯ ಸೆಕ್ಷನ್‌ಗೆ ಇಟ್ಟಿದ್ದೀರೆಂದು ನನಗೆ ಗೊತ್ತಾಗುತ್ತದೆ. ತ್ತದೆ. ಆದುದರಿಂದ ಈ 12 ನೆಯ ಸೆಕ್ಷನ್ನನ್ನು ತೆಗೆದು ಹಾಕಬೇಕು.

ಇನ್ನು 15 ನೆಯ ಸೆಕ್ಷನ್ ನೋಡಿದರೆ ರೂಲ್ಸ್ ವಿಷಯದಲ್ಲಿ ಕಮಿಷನ್ ತಮಗೆ ತೋಚಿದ ಹಾಗೆ ಮಾಡ ಬಹುದು ಎಂದು ಒಂದು ಅಧಿಕಾರವನ್ನು ಅವರಿಗೆ ಕೊಟ್ಟುಹಾಗೆ ಈ ವಿಧೇಯಕದಲ್ಲಿ ಕಾಣುತ್ತದೆ. ಅವ ರಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಯಾವ ರೂಲ್ಸ್‌ನ್ನು ಬೇಕಾದರೂ ಅವರೇ ಬದಲಾವಣೆ ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಯಾವ ರೂಲ್ಸ್‌ನ್ನು ಬದಲಾವಣೆ ಮಾಡಿದರೂ ಅದನ್ನು ರೆಜಿಸ್ಟ್ರೇಷನ್ ಮುಂದೆ ಇಟ್ಟು ಬದಲಾವಣೆ ಮಾಡಿ ಕೊಳ್ಳಬೇಕು. ಆಗ ರೆಜಿಸ್ಟ್ರೇಷನ್ ಯಾವುದು ಅನುಕೂಲ, ಯಾವುದು ಅನಾನುಕೂಲ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು.

ಶ್ರೀ ಬಿ. ಸುಬ್ರಹ್ಮಣ್ಯ.—ರೆಜಿಸ್ಟ್ರೇಷನ್ ಮುಂದೆ ಪ್ರತಿಯೊಂದು ಕಾನೂನೂ ಬರುತ್ತದೆ. ಆ ಕಾನೂನು ನಲ್ಲಿ ಯಾವ ರೀತಿ ಬದಲಾವಣೆ ಮಾಡಿದರೂ ಇಲ್ಲಿ ಇಡುತ್ತೇವೆ.

ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ.—ಇನ್ನು ಮೂರನೆಯ ವಿಷಯ. ಈ ವಿಧೇಯಕದ 17ನೆಯ ಸೆಕ್ಷನ್ನಿನಲ್ಲಿ (b) 5ರಲ್ಲಿ ಈ ರೀತಿ ಹೇಳಿದೆ. “Provided that the Government may make rules specifying the matters in which either generally or in any particular class of case or in any particular circumstances, it shall not be necessary for the Commission to be consulted” ಇದು ಬಹಳ ಮುಖ್ಯವಾದುದು. ಇದರಲ್ಲಿ in any particular class of case or in any particular circumstances—ಇದು ಯಾವ ತರಹ ಅರ್ಥವಾಗು ತ್ತದೆಂಬುದನ್ನು ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಯಾವುದಕ್ಕೆ ಬೇಕಾದರೂ ನೀವು ಈ ಕ್ಲಾಜನ್ನು ಸರಿಹೊಂದಿಸಿ ಕೊಳ್ಳಬಹುದಾಗಿದೆ. ಅದನ್ನು ನಿಮ್ಮ ಅನುಕೂಲ ಕ್ಕಾಗಿ ಮಾಡಿಟ್ಟುಕೊಂಡಿದ್ದೀರಿ. ಕಮಿಷನ್‌ನ್ನು ಕನ್ಸಲ್ ಮಾಡದೆಯೇ ರೂಲ್ಸ್ ಮಾಡುವುದಾದರೆ ಅಂತಹದನ್ನು “ಪೊಲಿಟಿಕಲ್ ಅಪಾಯಿಂಟ್ ಮೆಂಟ್” ಎಂದು ಹೇಳಬೇಕಾಗಿ ಬರುತ್ತದೆ. ಆದುದರಿಂದ ಈ ಕ್ಲಾಜನ್ನೂ ಸಹ ತೆಗೆದುಹಾಕಬೇಕು. ಇದನ್ನು ಜಾಯಿಂಟ್ ಸೆರೆಕ್ಟ್ ಕಮಿಟಿ ಕಳುಹಿಸಲ, ಕಳುಹಿಸದೆ ಹೋಗಲ, ಒಂದುವೇಳೆ ನೀವೇ ಅಪಾಯಿಂಟ್ ಮೆಂಟ್ ಮಾಡುವುದಕ್ಕೆ ಆಗದೇ ಹೋದರೆ ಒಂದು ದೊಡ್ಡ ಮನಸ್ಸುಮಾಡಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ಆ ಅಧಿಕಾರವನ್ನು ಕೊಡುವುದು ಒಂದು ನಂತೋಚ.

[Sri K. HANUMANTHAIYA.—I was saying that in our anxiety to criticise the Ministry or the Government, this House should not give up its undoubted authority in exercising proper control over the Public Service Commission. It is true that there is a psychology of blaming the Government for everything. Suppose, the Public Service Commission does something wrong. It is not the Ministry that has the power on this question. Whatever power the Ministry enjoys, this House enjoys. Therefore in cases where the Public Service Commission goes wrong, authority is vested in the House to point it out and make suggestions and offer criticisms. For example, there is an impression that the present Public Service Commission is distributing appointments purely on communal basis. We cannot discuss this because this is a matter pertaining to the Public Service Commission. I may tell you on reliable authority that the Public Service Commission is working in the way the Communal G.O. was framed and which was commented upon and set aside by the Court. It is proper that the interests of the backward classes and Scheduled Castes should be safeguarded. The Public Service Commission is not however there to safeguard the interests of all major communities and then distribute it to other communities. That is exactly what is being done for the last several years. Therefore clear provision must be made in the Bill that merit must come in the first instance. By way of safeguarding the interests of the backward and the scheduled classes, you may make proper provision. Now, the policy pursued by the Public Service Commission is one of topsy turvy—first thing is how many seats should be given to one community, how many to another community and how many to still another community. This is not a proper approach guaranteed or contemplated by the provisions of the Constitution. Therefore this Bill contains a clause guaranteeing the recruitment of the personnel and at the same time provisions of the Constitution safeguarding the interests of the backward classes and the scheduled classes. This Bill also provides for

recruitment of the personnel to local bodies. It is welcome. It ought to contain additional functions specifically included in the Bill and that is: there are various Corporations working under the Government, particularly the Kolar Gold Fields. You know that the Kolar Gold Fields contain personnel as much or almost as the Government itself. Its expenditure is of the order of Rs. 5 crores a year and this institution is not within the purview of the Public Service Commission. In what way the appointments are made, nobody knows. Whether it is on the basis of merit or knowledge or communal basis, no one is aware. Government has so far not paid any attention as to how the personnel is being recruited to K.G.F. Mines and so also in the case of Mysore Iron and Steel Works, Bhadravati. Its expenditure is of the order of nearly Rs. 4 crores or Rs. 5 crores a year. These bodies which spend public money and are accountable to the Legislature ought to be made to recruit the personnel along the policy laid down by Government.

The next point is this: I request the Minister to bear in mind the well known principle of the rules not being made more elaborate and more important than the provisions of the Act itself. That is a well known procedure of legislation. If the Act consists of two or three sections and the rest of the power under the Act is delegated to the rule making authority, it is not legislation. On the other hand people who are thorough in legislation plead that the rule making power of the Government must be as circumscribed as possible and that all the provisions are contained in the Act itself. In this Bill you have taken so much jurisdiction over the rule making power that I am afraid the Act may be delegated to minor importance as against the rule making power of Government.

[MR. SPEAKER in the Chair]

The legislation should be as comprehensive as possible so that the rule making power of the Government may be limited or as much or as is

(SRI K. HANUMANTHAIYA)

absolutely necessary. The four sub-sections in clause (2), and sub-clause (3) of clause 18, I am afraid are more comprehensive than all the provisions of the Bill put together. This ought to be rectified in the Select Committee. The provision in sub-clause (3) reads as follows :—

“All rules made under this Act shall be laid as soon as they are made before each House of the State Legislature. . . . .”

This expression “as soon as they are made” depends upon the efficiency of the concerned Minister, or the concerned Secretary, or the Under Secretary, as the case may be. I have myself noticed in several instances that the notifications are not issued in time. That is because of the lethargy of the concerned department or the negligence of the Under Secretary or the staff. It may so happen many a time that when rules are framed the Cabinet may require much time to scrutinise or has no time to scrutinise. That is not the way the rules have to be promulgated. Therefore there must be a specific provision in sub-clause (3) that the rules made under this Act must be laid before each House within a specific period, say one month. If you think that one month is too short a time, I do not mind if it is two months. But this vagueness must be substituted by a definite period of time in the Act itself. Otherwise, with the best of intentions it will not be possible even within one year to issue notifications. There are very many instances which have come to my notice where the Secretary has not been able to issue notifications. I know of a famous case which happened some years back. Under the Excise Act, rules were not issued in time but still some cesses were collected. But when the contractor challenged the Act we had to repay three or four lakhs because necessary notification had not been issued. Therefore let us not take any risk. A specific period must be mentioned in the Bill itself.

(Some Hon'ble Members rose.)

Mr. SPEAKER.—I should like to draw the attention of the members to one fact and that is that the discussion of Bill has to be concluded today by 6 O'clock.

Sri C. J. MUCKANNAPPA.—Cannot we revise the report of the Business Advisory Committee? The House may be asked whether they are in a position to extend the time. I think there are good many who want to offer their remarks. This is an important Bill.

Sri K. KENCHAPPA (Hiriyur).—This affects a huge number of people in service, and as such proper attention has to be given.

Mr. SPEAKER.—Let us hear what the Government have to say.

Sri T. SUBRAMANYA.—After hearing all the members I would like to say that the Bill requires greater scrutiny. Some changes will have to be made here and there. Therefore I am proposing that the Bill may be referred to a Select Committee of this House alone to give their report within this session in the course of three or four days so that a Bill acceptable to all sections of the House may come out of the Select Committee. With regard to the general discussion, if many members are anxious to speak, I will have no objection if the time is extended by another hour.

Mr. SPEAKER.—It will have to be done tomorrow for one hour. In that case we will dispense with the question hour because we require more time.

SOME MEMBERS.—No, no; there should be question hour.

Mr. SPEAKER.—By that the Hon'ble Members will not be penalised. Their questions will be taken up day after tomorrow. Suppose tomorrow we spend one hour on questions and another hour on the special motion; there will not be sufficient time for this Bill and a member may feel that he is not given an opportunity to speak on this Bill. It will be therefore better that we suspend the question hour tomorrow. Then this motion can be discussed for one hour tomorrow and then it can be referred to a Select Committee.

5-30 P.M.

Sri K. PUTTASWAMY (Mysore).—  
The question hour is very important.

Mr. SPEAKER.—There are only 9 questions with answers on hand for tomorrow. We can take them up the day after tomorrow.

Sri K. PUTTASWAMY.—We may cut down the question hour by half-an-hour. Nine questions can be finished in half-an-hour.

Mr. SPEAKER.—I hope that you are going to do this by agreement and not by amendment of the rules.

HON'BLE MEMBERS.—Yes.

Mr. SPEAKER.—Then we will take up questions for half-an-hour tomorrow.

Sri J. VENKATAPPA.—The half-an-hour for recess may also be utilised tomorrow for discussion.

Mr. SPEAKER.—Then there will be no recess tomorrow.

I will now put the motion for extension of the time to the House because any alteration of the order will have to be effected by a motion adopted by the House.

The question is:

“That the time of 3½ hours for discussion of the Mysore Public Service Commission (Conduct of Business and Additional Functions) Bill, 1958, be extended by one hour.”

*The motion was adopted.*

ಶ್ರೀ ಬಿ. ರಾಜಯ್ಯ (ಚಾಮರಾಜನಗರ).—  
ಸ್ವಾಮಿ, ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಈ ಲೋಕಸೇವಾ ಆಯೋಗ ಮಂಡಲಿಗೆ ಹೆಚ್ಚಿನ ಅಧಿಕಾರವನ್ನು ಕೊಡುವುದಕ್ಕಾಗಿ ಮತ್ತು ಇದರ ನಡವಳಿಕೆಗಳು ಯಾವ ರೀತಿ ನಡೆಯಬೇಕು ಎನ್ನುವ ವಿಷಯದಲ್ಲಿ ತಂದಿರತಕ್ಕ ಮನೋದೇಗೆ ನಾನು ಸ್ವಾಗತವನ್ನು ನೀಡುತ್ತೇನೆ. ಈಗಾಗಲೇ ಈ ಮನೋದೇಯ ಮೇಲೆ ಮಾತನಾಡಿದ ಮಾನ್ಯ ಸದಸ್ಯರು ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ವ್ಯಕ್ತಮಾಡಿರತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಈ ಮನೋದೇಯನ್ನು ಅತುರಾತುರವಾಗಿ ನೀವು ಪಾಸು ಮಾಡುವುದಕ್ಕೆ ಮುಂಚಿತವಾಗಿ ದೇಶದಲ್ಲೆಲ್ಲಾ ಅನೇಕ ಜನರ ಹಿತವನ್ನು ಕಾಪಾಡಬೇಕು. ಅನಂತರ ಈ ಮಾನ್ಯ ಸಭೆಯು ಸೆರೆಕ್ಯು ಕಮಿಟಿಗೆ ಕಳುಹಿಸತಕ್ಕದ್ದು ಸೂಕ್ತವಾಗಿದೆ. ಹಾಗೆ ಮಾಡುವಾಗ ಇನ್ನೂ ಕೆಲವು ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡತಕ್ಕದ್ದು ಸೂಕ್ತವಾಗಿದೆ.

L.A.

ಮೊಟ್ಟ ಮೊದಲನೆಯದಾಗಿ ಈ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನನ್ನು ಅನೇಕ ಇಲಾಖೆಗಳಿಗೆ ಬೇಕಾಗಿರುವ ಉಮೇದುವಾರುಗಳನ್ನು ಕೆಲಸಗಳಿಗಾಗಿ ನೇಮಕ ಮಾಡುವುದಕ್ಕಾಗಿ ಇದೆ ಎಂದು ಈಗಾಗಲೇ ಅನೇಕ ಮಾನ್ಯ ಸದಸ್ಯರು ತಿಳಿಸಿದ್ದಾರೆ. ಈ ದೇಶದಲ್ಲಿರುವ ಕೆಲವು Autonomous Bodyಗಳು ಎಂದರೆ ಈಗಿರತಕ್ಕ ಎಲೆಕ್ಟ್ರಿಟಿ ಬೋರ್ಡ್, ಕೋಲಾರದ ಗೋಲ್ಡ್ ಮೈನಿಂಗ್ ಕಂಪೆನಿ, ಭದ್ರಾವತಿಯಲ್ಲಿರುವ ಕಬ್ಬಿಣದ ಕಾರ್ಖಾನೆ, ಕರ್ನಾಟಕ ಯೂನಿವರ್ಸಿಟಿ ಮತ್ತು ಮೈಸೂರು ಯೂನಿವರ್ಸಿಟಿ ಇವೆಲ್ಲವೂ ದೊಡ್ಡದೊಡ್ಡ ನೇಮಕಗಳನ್ನು ಮಾಡತಕ್ಕಂತಹ ಸಂಸ್ಥೆಗಳಾಗಿವೆ. ಇದಕ್ಕಾಗಿ ನಮ್ಮ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ಅವಕಾಶಿರತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಎಲ್ಲ ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಹಿಂದುಳಿದಿರತಕ್ಕವರಿಗೆ ಇರತಕ್ಕಂತೆ ಸಾಕಾದಷ್ಟು ಪ್ರಾತಿನಿಧ್ಯ ಹೊರಕುವಂತೆ ಈ ಕಾನೂನನ್ನು ಆಳ ವಡಿಸಿಕೊಂಡಿಲ್ಲ. ಕೆಲವು ಕಡೆ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿಗೆ ಅಧಿಕಾರವೇ ಇಲ್ಲ. ಈ ರೀತಿಯಾಗಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನವರು ಕಳುಹಿಸಿರುವ ಪಟ್ಟಿಯಂತೆ ಇಲಾಖೆಯಲ್ಲಿ ಉಮೇದು ವಾರರನ್ನು ನೇಮಕ ಮಾಡದೆ, ಕೆಲವು ಉಮೇದು ವಾರರುಗಳನ್ನು ಹಂಗಾಮಿಯಾಗಿ ನೇಮಕ ಮಾಡಿ ಕೊಂಡು ಅದನ್ನೇ ಪುನರಾವರ್ತಿತ ಮಾಡಿರತಕ್ಕ ನನ್ನಿವೇಶಗಳು ಅನೇಕ ಕಡೆ ನಡೆಯುತ್ತಿವೆ. ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಲ್ಲಿ ಏಕೆ ಯೂನಿಟಿ ಅಭಿಸರು ಗಳು ಪಟ್ಟಿಯ ಪ್ರಕಾರ ಕೆಲಸಗಳನ್ನು ಮಾಡಲು ಉಮೇದುವಾರರನ್ನು ಆರಿಸಲಿಲ್ಲ, ಎನ್ನುವುದನ್ನೆಲ್ಲ ಪರಿಶೀಲಿಸಲು ಅನುಕೂಲವಾಗುವಂತೆ ಹಿಂದಿನ ಕಾನೂನಿನಲ್ಲಿ ಒಂದು Inspecting Section ಇತ್ತು. ಈಗ ಈ ಸೆಕ್ಷನ್ನು ಸೆರೆಗೆ ಹಾಕಿಬಿಟ್ಟಿರುವುದರಿಂದ ಎಷ್ಟೋ ಇಲಾಖೆಗಳಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನವರು ಕೊಟ್ಟಿರುವ ಪಟ್ಟಿಯಂತೆ ನೇಮಕ ಗಳನ್ನು ಮಾಡದೇ ಇರುವ ಎಷ್ಟೋ ವಿವಿಧವರ್ಗದ ಬಂದಿವೆ. ಆ ರೀತಿ ಯಾಗಿರುವುದರಿಂದ ಜನ ಕಷ್ಟ ಪಡುತ್ತಿದ್ದಾರೆ ಎಂದು ಸರಕಾರಕ್ಕೆ ಮನವಿಯನ್ನು ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ. ಇಲಾಖೆಗಳಲ್ಲಿ ತಮ್ಮ ಒಂದು ಪಟ್ಟಿಯ ಪ್ರಕಾರ ಉಮೇದುವಾರರನ್ನು ಇರಿಸಿ ಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಪಡುತ್ತಾರೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನವರು ಹೀಗೆ ಎಲ್ಲೆಲ್ಲ ಯೂನಿಟಿ ಅಭಿಸರುಗಳ ಕೆಲಸ ಕಾರ್ಯ ಗಳನ್ನು ಮಾಡಲು ಸರಿಯಾದ ಉಮೇದುವಾರು ಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆಯೇ ಮತ್ತು ಹಾಗೆ ನೇಮಕ ಮಾಡಿರುವುದು ಹಿಂದುಳಿದ ವರ್ಗದವರಿಗನುಗುಣ ವಾಗಿ ಸ್ಥಾನಗಳನ್ನು ಕೊಟ್ಟು ಮಾಡಿದ್ದಾರೆಯೇ ಇಲ್ಲವೇ ಎನ್ನುವುದನ್ನೆಲ್ಲ ಪರಿಶೀಲಿಸಲು ಹಿಂದೆ ಇದ್ದಂತೆ Inspecting Sectionನನ್ನು Revive ಮಾಡಿ ಇಟ್ಟುಕೊಳ್ಳಬೇಕೆಂದು ಈ ಸಂದರ್ಭದಲ್ಲಿ ನೂಟಿಸಬಯಸುತ್ತೇನೆ. ಇಲ್ಲಿ ಕೊಟ್ಟಿರುವ Financial Memorandumನಲ್ಲಿ Financial Extentನ್ನು ಹೇಳುವಾಗ ಅದರಲ್ಲಿ ಇದನ್ನು ಸೇರಿಸಿ ಕೊಳ್ಳಬೇಕೆಂದು ಕೇಳುತ್ತೇನೆ.

ಎರಡನೆಯದಾಗಿ, ಅನೇಕ ಇಲಾಖೆಗಳಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನವರು ಕಳುಹಿಸಿರತಕ್ಕ ಉಮೇದುವಾರರ ಪಟ್ಟಿಯಂತೆ ಮಾಡದೇ ಅವರನ್ನು ಬಿಟ್ಟು ತಮ್ಮದೇ ಆದ ಪಟ್ಟಿಯಲ್ಲಿರುವ ಉಮೇದು ವಾರರನ್ನು ನೇಮಕ ಮಾಡುತ್ತಾರೆಯೇ? ಇಲ್ಲವೇ ಎಂಬ ವಿಚಾರದಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನ ಮುಖಾಂತರ ತಿಳಿಸಲು ನಮಗೆ ಯಾವ ವಿಧವಾದ

(ಶ್ರೀ ಬಿ. ರಾಜಯ್ಯ)

ಮಾಹಿತಿಯೂ ಇಲ್ಲ. ಹೆಸರಿಗೆ ಮಾತ್ರ ರಿಸರ್ವೇಷನ್ ಎಂದು ಇದೆಯೇ ಹೊರತು ಕಾರ್ಯತಃ ಹಿಂದುಳಿದ ಜನಗಳಿಗೆ ಅನುಕೂಲವಾಗಿಲ್ಲ. ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನ್ನಿನ ಅರ್ಚಿಕರ್ 324ರಲ್ಲಿ ಹೇಳಿರುವ ಪ್ರಕಾರ ಹಿಂದುಳಿದ ವರ್ಗದವರಿಗೆ ಅದರಲ್ಲೂ ಪರಿಶಿಷ್ಟ ವರ್ಗದವರಿಗೆ ಸಾಕಾ ದಷ್ಟು ಸ್ಥಾನ ಮಾನಗಳು ಇಲ್ಲದೇ ಇರುವಾಗ ಅವರಿಗೆ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ಹೆಚ್ಚಾಗಿ ಕೊಡಲು ಸರಕಾರದವರು ನೇರವಾಗಿ ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಬಹುದು, ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಅವರನ್ನೇ ಕೇಳಬೇಕಾಗಿಲ್ಲ ಎಂದಿದೆ. ಆದರೆ ಎಂತಹ ಸಂದರ್ಭದಲ್ಲೂ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ನ್ನು ಕೇಳಿಯೇ ನೇಮಕ ಮಾಡಬೇಕು ಎಂದಿದ್ದರೆ ಅವರನ್ನು ಕೇಳಿ ಮಾಡುವುದಕ್ಕೆ ಏನು ತೊಂದರೆ ಇತ್ತು? ಕೇವಲ ಶೇಕಡ 5-6 ರಷ್ಟು ಎಂದು ಈ ಪರಿಶಿಷ್ಟ ವರ್ಗದವರ ಹಿತವನ್ನು ಕಾಪಾಡಿದ್ದೇವೆ ಎಂದು ಈ ಸನ್ನಿವೇಶದಲ್ಲಿ ಹೇಳಿದರೆ ಇನ್ನು ಮುಂದುವರಿದ ಜನಾಂಗದ ಮುಟ್ಟಿದವರಿಗೆ ಎರಾಕಡೆಗಳಲ್ಲೂ ಪ್ರಾತಿನಿಧ್ಯ ಕೊಡುವುದಕ್ಕೆ ಎಷ್ಟು ವರ್ಷ ಹಿಡಿಯುತ್ತದೆ ಎನ್ನುವುದನ್ನು ನಾವು ಯೋಚನೆ ಮಾಡಬೇಕು.

ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀ ಹನುಮಂತಯ್ಯ ನವರು ಮಾತನಾಡುವಾಗ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಜಾತೀಯತೆಯ ಆಧಾರದ ಮೇಲೆ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ಹಂಚುತ್ತಿದೆ. ಎಂದು ಹೇಳುವಂತಾಗದೆ ಮೆರಿಟ್‌ಗೆ ಬಹು ಪ್ರಾಶಸ್ತ್ಯವಿರಬೇಕೆಂದು. ಆದರೆ ನನಗನ್ನಿಸುತ್ತದೆ ಈಗಿನ ಒಂದು ಲಕಡೆಮಿಕರ್ ಕ್ಯಾಲಿಫಿಕೇಷನ್ ಇದೊಂದೇ ಸಾಲದು ಎಷ್ಟೋ ಜನ ವಿದ್ಯಾರ್ಥಿಗಳು ಫನ್ನು ಕ್ಯಾಸಿನಲ್ಲಿ ರ್ಯಾಂಕು ಪಡೆದು ಪಾಸು ಮಾಡಿಕೊಂಡಿದ್ದರೂ ಅಂತಹವರು Administrative Serviceನಲ್ಲಿ Failure ಆಗುತ್ತಿದ್ದಾರೆ. ಅವರು successful ಆಗಿ ಕೆಲಸ ಮಾಡುವಷ್ಟು ಮುಟ್ಟು ಬಂದಿಲ್ಲ. ಮೆರಿಟ್ ಎಂದರೆ ಪರೀಕ್ಷೆಗಳಲ್ಲಿ ಅಂಕಗಳನ್ನು ಹೆಚ್ಚಿಗೆ ಪಡೆದು ಅದರ ಪ್ರಕಾರ ಕೆಲಸ ವನ್ನು ಪಡೆಯುವುದು ಮಾತ್ರವಲ್ಲ. ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಮತ್ತು ಇತರ ಪರೀಕ್ಷೆಗಳಲ್ಲಿ ಬರತಕ್ಕ ಅಂಕಗಳು ನಿಜವಾಗಿಯೂ ಕೂಡ ವಿದ್ಯಾರ್ಥಿಗಳ ಮೆರಿಟ್ ಅಲ್ಲವೆಂದು ನನ್ನ ಸ್ವಂತ ಅನುಭವದಿಂದ ತಿಳಿಸುತ್ತೇನೆ. ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಜನಜೀವನದ ಜೊತೆಗೆ ಯಾವ ರೀತಿ ಹೊಂದಿಕೊಂಡು, ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ನ್ಯಾಯ ದೊರಕಿಸುವುದಕ್ಕೆ ಅವರು ಪ್ರಯತ್ನ ಮಾಡುತ್ತಾರೆ, ಅವರ ದೇಹದಾರ್ಢ್ಯ ಹೇಗಿದೆ, mental outlook ಹೇಗಿದೆ, ಇದನ್ನೆಲ್ಲ ನೋಡಿಕೊಂಡು ಅದರ ಮೇಲೆ ಮೆರಿಟ್ ಎಂಬುದನ್ನು ವಿಮರ್ಶೆ ಮಾಡಬೇಕೇ ವಿನಾ ನಮ್ಮ ಪುಸ್ತಕಗಳನ್ನು ಓದಿ, ಅಂಕಗಳನ್ನು ಹೆಚ್ಚಿಗೆ ಪಡೆದವರಿಗೆ ಮಾತ್ರ ಮೆರಿಟ್ ಇದೆ ಎಂದು ಹೇಳಬಾರದು. ಹೆಚ್ಚಿಗೆ ಅಂಕಗಳನ್ನು ಪಡೆದವರಿಗೆ ಮೆರಿಟ್ ಇದೆ ಎನ್ನುವ ಹೆಸರಿನಲ್ಲಿ ಇತರೆಯವರ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ಕೈಬಿಟ್ಟಿದ್ದೇ ಆದರೆ ನಿಜವಾಗಿಯೂ ಕೂಡ ನಮ್ಮ ಕರ್ತವ್ಯವನ್ನು ನಾವು ಮಾಡಿದ ಹಾಗೆ ಆಗುವುದಿಲ್ಲವೆಂದು ನನ್ನ ಭಾವನೆ. ನಾನು ವಿಶ್ವವಿದ್ಯಾನಿಲಯದ ಸೆರೆಕ್ಷ ಕಮಿಟಿಗಳಲ್ಲಿ ನೋಡಿದ್ದೇನೆ. ಮೆರಿಟ್ ಎಂದು ಎಲ್ಲ ತೀರ್ಮಾನ ಮಾಡಿರುತ್ತೀರೋ ಅಲ್ಲ ಸಾಮಾನ್ಯವಾಗಿ ಶೇಕಡ 50ಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ ಅಂಕಗಳು ಬಾರದೆ ಇದ್ದವರಿಗೆ ಶೇಕಡ 80, ಶೇಕಡ 88, ಶೇಕಡ 90 ಹೀಗೆ ಅಂಕಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ.

ಮೆರಿಟ್ ಪ್ರಕಾರ ಸೆರೆಕ್ಸ್ ಮಾಡಿದರೆ, general poolನಲ್ಲಿ ನೋಡುವುದಾದರೆ ಕೇವಲ ಒಂದೇ ಒಂದು ಕೋಟಿನವರಿಗೆ ಅನೇಕ ಪಾಠಶಾಲೆಗಳಲ್ಲಿ ಮತ್ತು ಕಾರ್ಪೊರೇಷನ್‌ಗಳಲ್ಲಿ ಅಪಕಾಶ ಸಿಕ್ಕುತ್ತದೆ. ಹಾಗಾದರೆ ಉಳಿದವರು ದಡ್ಡರು ಎಂದು ಭಾವನೆ ಮಾಡಿಕೊಳ್ಳೋಣವೇ? ಈಗಿನ ಪರೀಕ್ಷಾ ಪದ್ಧತಿಯಲ್ಲಿ ಬಹಳ ತೊಡಕುಗಳಿವೆ. ಇದನ್ನು ಪರಿಶೀಲಿಸಿದ ಹೊರತು ಮೆರಿಟ್ ಎನ್ನುವುದನ್ನು ಬರಿಯ ಅಂಕಗಳಿಂದ ತೀರ್ಮಾನ ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಆ ದೃಷ್ಟಿಯಿಂದ ಈ ದೇಶದ ಆಡಳಿತವನ್ನು ನಡೆಸತಕ್ಕವರು ಸತ್ಯಸಂಧ ರಾಗಿರಬೇಕು, ಪ್ರಜಾಪ್ರಭುತ್ವ ಭಾವನೆಗಳಿಗೆ ಹೊಂದಿಕೊಂಡು, ಜನಜೀವನದಲ್ಲಿ ಹೊಂದಿಕೊಂಡು ದೇಶದ ಹಿತನಾಥನೆ ಮಾಡತಕ್ಕ ಜನಗಳಿರಬೇಕು. ಈ ಎಲ್ಲ ವಿಷಯಗಳನ್ನೂ ಹೊಂದಿರತಕ್ಕ ಮನುಷ್ಯನಿಗೆ 'ಮೆರಿಟ್' ಇದೆ ಎಂದು ಕರೆಯಬೇಕು. ಹಿಂದುಳಿದ ವರ್ಗ ಮತ್ತು ಪರಿಶಿಷ್ಟ ವರ್ಗದ ಜನರಿಗೆ ಧಕ್ಕೆ ಬರುವಂಥ ಕಾನೂನನ್ನು ಮಾಡುವುದರಿಂದ ಸರಿಯಾದ ಪಾತಾವರಣ ಕಲ್ಪಿತವಾಗುವುದಿಲ್ಲವೆಂದು ಹೇಳುತ್ತೇನೆ.

Competitive examinations ಮಾಡಬೇಕೆಂದು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೀರಿ. ಹೀಗೆ ಅಧಿಕಾರ ಕೊಡುವಾಗ ಎಷ್ಟೋ ಜನ ಹಳ್ಳಿಗಾಡಿನಿಂದ ಬರತಕ್ಕ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಪಟ್ಟಣಗಳಲ್ಲಿರುವವರಿಗೆ ಸಿಕ್ಕತಕ್ಕ ಸೌಲಭ್ಯಗಳು ಸಿಕ್ಕುವುದಿಲ್ಲ. viva voce ಪರೀಕ್ಷೆಯಲ್ಲಿ ಸುಮಾರು ಅರ್ಧದಷ್ಟು ಜನರು ಹೆದರಿಕೊಂಡು ತಾವು ಹೇಳಬೇಕಾದುದನ್ನು ಹೇಳದೆ ಇರತಕ್ಕ ಸಂದರ್ಭಗಳಿರುತ್ತವೆ. ಅದೂ ಅಲ್ಲದೆ ಯಾರು ಯಾರಿಗೆ ಶಿಫಾರಸು ವಗೈರಿಗಳಿರುತ್ತವೆಯೋ ಆ ಕಡೆ ಹೋಗತಕ್ಕ ಒಂದು ಪಾತಾವರಣ ಕೂಡ ಇದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಕಾಂಪಿಟಿವ್ ಪರೀಕ್ಷೆಗಳನ್ನು ನಡೆಸುವಾಗ ಜನಜೀವನದಲ್ಲಿ ಹೊಂದಿಕೊಂಡು ಹೋಗತಕ್ಕ ನಮ್ಮ ಯೋಜನೆಗಳಿಗೆ ಅನುಗುಣವಾಗಿರತಕ್ಕ ಪ್ರಶ್ನೆಗಳನ್ನು ಇರಬೇಕೇ ವಿನಾ ಅವರು ಒಂದು ಸಲ ಓದಿದ ಪ್ರಸ್ತುತಗಳನ್ನೇ ಮತ್ತೆ ಓದಿ ಪರೀಕ್ಷೆಗೆ ಕುಳಿತು ಕೊಳ್ಳುವಂತೆ ಇರಬಾರದು. ಉದಾಹರಣೆಗೆ ಮುನ್‌ಸಿಫರನ್ನು ನೇಮಕ ಮಾಡುವಾಗ, ಅಭ್ಯರ್ಥಿಗಳು ಲಾ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಉತ್ತೀರ್ಣರಾಗಿರಬೇಕು. ಅವರಿಗೆ ಪುನಃ ಇಂಡಿಯನ್ ಪೀನರ್ ಕೋಡ್, ಕ್ರಿಮಿನಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡ್ ಓದಿಕೊಂಡು ಬರಬೇಕೆಂದು ಹೇಳುವುದಾಗಲಿ, ಒಂದು ಸಲ ಪರೀಕ್ಷೆಯಲ್ಲಿ ತೇರ್ಗಡೆಯಾದವರನ್ನು ಪುನಃ ಅದೇ ರೀತಿಯ ಪರೀಕ್ಷೆಗೆ ಗುರಿ ಮಾಡುವುದಾಗಲಿ ಸರಿಯಲ್ಲ. ಉಮೇದುವಾರರನ್ನು ಯಾವ ಕೆಲಸಕ್ಕೆ ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದಿರುತ್ತೀರೋ ಅದಕ್ಕೆ ಹೊಂದುವಂಥ ಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಿ, ಉಮೇದುವಾರರ ಅನುಭವವನ್ನು ತಿಳಿದು ಕೊಳ್ಳಲು ಪರೀಕ್ಷೆ ಮಾಡಬೇಕೇ ವಿನಾ ಒಬ್ಬ B.D. O. ನ್ನು ನೇಮಕ ಮಾಡಬೇಕಾದರೆ ಇಂಗ್ಲಿಷಿನಲ್ಲಿ ಒಂದು essay ಬರೆಯುವಂತೆ ಹೇಳುವುದು, ಈ ರೀತಿ ಮಾಡಬಾರದು. ಅನೇಕರು ಜನಜೀವನದಲ್ಲಿ ಹೊಂದಿಕೊಂಡು ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ದಕ್ಕಲಾಗಿದ್ದರೂ ಸಹ ಪರೀಕ್ಷೆಗಳನ್ನು ನಡೆಸುವುದರಿಂದ ಅದರಲ್ಲಿ ತಮ್ಮ ಮೆರಿಟ್ ತೋರಿಸುವುದಕ್ಕಾಗುವುದಿಲ್ಲವೆಂದು ನನ್ನ ಭಾವನೆ. ಅದುದರಿಂದ Backward Classes and Scheduled Classes ಉಮೇದುವಾರರಿಗೆ ಒಂದು ರಿಯಾಯಿತಿ ಇರಬೇಕು. ಪರೀಕ್ಷೆಯಲ್ಲಿ ತೇರ್ಗಡೆ



ಯಾಗಲು ಶೇಕಡ 40 ಬರಬೇಕೆಂದು ಗೊತ್ತುಮಾಡುವ ಪಕ್ಷದಲ್ಲಿ ಹಿಂದುಳಿದ ಮತ್ತು ಪರಿಶಿಷ್ಟ ವರ್ಗಗಳವರಿಗೆ ಕಡಮೆ ಅಂಕಗಳನ್ನು ಗೊತ್ತುಮಾಡಲು ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕೆಂದು ನಾನು ಕೇಳುತ್ತಿದ್ದೇನೆ.

ಕೆಲವು ಇಲಾಖೆಗಳಲ್ಲಿ ಉದಾಹರಣೆಗೆ Social Welfare ಮತ್ತು Planning and Development ಸೆಕ್ಟೆರಿಯುಟ್‌ಗಳಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಮೂಲಕ ಉಮೇದುದಾರರನ್ನು ತೆಗೆದು ಕೊಳ್ಳುವ ಪದ್ಧತಿ ಇಲ್ಲ. ಈ ವಿಚಾರದಲ್ಲಿ ಕೇಳಿದರೆ, ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ನವರಿಗೆ ಉಮೇದುದಾರರನ್ನು ಕಳಿಸಿಕೊಡಿ ಎಂದು ಕೇಳಿದರೆ ಅದರಿಂದ ನಮ್ಮ ಕೆಲಸಗಳಿಗೆ ತೊಡಕುಂಟಾಗುತ್ತದೆನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಬೇಗ ನೇಮಕ ಮಾಡಿಕೊಳ್ಳಲು ಅವಕಾಶ ವಾಗಲ ಎಂದು ನಾವೇ ನೇಮಕಗಳನ್ನು ಮಾಡುತ್ತಿದ್ದೇವೆಂದು ಉತ್ತರ ಹೇಳುತ್ತಾರೆ ಎಂದು ನಾನು ನಿರೀಕ್ಷಿಸುತ್ತೇನೆ. ಆದರೆ ಹಿಂದುಳಿದ ಮತ್ತು ಪರಿಶಿಷ್ಟ ವರ್ಗದವರಿಗೆ ಎಷ್ಟು ಸ್ಥಾನಗಳನ್ನು ಕೊಡಬೇಕು ಎಂದಿದ್ದರೋ ಆ ರೀತಿಯಾಗಿ ಯೂನಿಟ್ ಅಫೀಸರ್‌ಗಳು ಕೊಡಬೇಕು ಮತ್ತು cycle of appointments ಕ್ರಮವನ್ನು ಸರಿಸಬೇಕು. ಆ ರೀತಿ ಮಾಡಿದ್ದಾರೆ ಯೋ ಇಲ್ಲವೋ ಎನ್ನುವುದನ್ನು ರೆಪ್ಪೂ ಮಾಡಿ ರಿಪೋರ್ಟ್ ಕಳಿಸುವುದಕ್ಕೆ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಮನೂವೆ ಯಲ್ಲಿ ಒಂದು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಬೇಕು ಎಂದು ನೂಚನೆ ಮಾಡುತ್ತೇನೆ.

ಸರ್ಕಾರದವರು ಈ ಮನೂವೆಯಲ್ಲಿ ರೂಲ್ಸ್ ಮಾಡತಕ್ಕ ಅಧಿಕಾರವನ್ನು ಹೆಚ್ಚು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಬದಲಾಗಿ ಕಾನೂನಿನಲ್ಲಿಯೇ specific ಆಗಿ ಅಳವಡಿಸತಕ್ಕದ್ದು ಒಳ್ಳೆಯದು. ಶ್ರೀ ಹನುಮಂತಯ್ಯ ನವರು ಹೇಳಿದ ಹಾಗೆ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಕೆಲವು ಇಲಾಖೆಗಳಲ್ಲಿ ರೂಲ್ಸ್ ಕಾಲಕ್ಯ ಸರಿಯಾಗಿ ಮಾಡದೆ ಇದ್ದುದರಿಂದ ಅನೇಕ ರೋಪದೋಷಗಳಾಗಿವೆ. ಕೆಲವು ಹುದ್ದೆಗಳನ್ನು ಕಾಲಕ್ಯ ಸರಿಯಾಗಿ ಅಡ್ವರ್ಟೈಸ್ ಮಾಡದೆ ತೊಂದರೆಯಾಗಿದೆ. ಆಯಾ ಇಲಾಖೆಗಳಲ್ಲಿ ಆಯಾ ಕಾಲಕ್ಕೆ ಅಡ್ವರ್ಟೈಸ್ ಆಗಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಅರ್ಹರಾದ ಉಮೇದುದಾರರು ಕೆಲಸಗಳಿಗೆ ಸೇರಲು ಅವಕಾಶವಾಗುತ್ತಿತ್ತು. ಅಡ್ವರ್ಟೈಸ್ ಮಾಡುವುದರಲ್ಲಿ ನಿಧಾನ ಮಾಡಿದ್ದರಿಂದ ಅರ್ಹರಾಗಿದ್ದ ಅನೇಕ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ವೇಯೋ ಮಿತಿ ಹೆಚ್ಚಾಗಿ ಅವರು ಇವೊತ್ತಿನಿಂದಿವನ ಆ ಕೆಲಸಗಳಿಗೆ ಹೋಗುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದಂತಾಗಿದೆ. ಇನ್ನು ಕೆಲವು ಕಡೆ ತಮಗೆ ಬೇಕಾದ ಜನರಿಗೆ ಕೆಲಸ ಕೊಡಿಸಬೇಕು ಎಂಬ ಉದ್ದೇಶದಿಂದ ಬೇಗ ಅಡ್ವರ್ಟೈಸ್ ಮಾಡುವುದು, ಇಲ್ಲದೆ ಹೋದರೆ ನಿಧಾನ ಮಾಡುವುದೂ ಉಂಟು. ಇಂಥ ಅನೇಕ ನಿದರ್ಶನಗಳು ನನ್ನ ಗಮನಕ್ಕೆ ಬಂದಿವೆ. ಅವುಗಳನ್ನೆಲ್ಲ ಹೇಳುವುದಕ್ಕೆ ಹೋದರೆ ಹೆಚ್ಚು ಕಾಲವಾಗುತ್ತದೆ. Road Transport ಇಲಾಖೆಯಲ್ಲಿ ಡ್ರೈವರುಗಳು, ಕಂಡಕ್ಟರುಗಳು, ಕ್ಲೀನರುಗಳು, ಹೆಲ್ಪರುಗಳು ಮುಂತಾದವರ ನೇಮಕಗಳು ಬಹಳವಾಗಿ ನಡೆದಿವೆ. ಹಾಗೆಯೇ ಇನ್‌ಸ್ಟೆಕ್ಟರ್‌ಗಳು ಮತ್ತು ಟ್ರಾಫಿಕ್ ಇನ್‌ಸೆಕ್ಟರ್‌ಗಳ ಹುದ್ದೆಗಳೂ ಕೂಡ ಆಗಿವೆ. ಈ ಸ್ಥಾನಗಳನ್ನು 'ಸಿ' ನೇಕೆಸ್ಸಿಯಿಂದ ಅಡ್ವರ್ಟೈಸ್ ಮಾಡಿ ಅಪ್ಪಿಕೇಷನ್‌ಗಳನ್ನು ಕರೆಯಬೇಕೆಂದು ಹಿಂದೆ ತೀರ್ಮಾನವಾಗಿದ್ದರೂ ಕೂಡ ಸದರಿ ಇಲಾಖೆಯವರು ಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಅದನ್ನು ನೋಟಿಫೈ ಮಾಡದೆ ಇದ್ದುದರಿಂದ ಅನೇಕ ಜನ ಪರಿಶಿಷ್ಟ ವರ್ಗದ ಉಮೇದುದಾರರು

ಅರ್ಹರಾಗಿದ್ದರೂ ಆ ಕೆಲಸಗಳಿಗೆ ಅಪ್ಪಿಕೇಷನ್ ಹಾಕುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದೆ age bar ಆಗಿ, ಟೆಂಪೊರರಿ ಯಾಗಿ ಕೆಲಸ ಮಾಡಿದ್ದು ರಿವರ್ಸ್ ಆಗತಕ್ಕ ಪರಿಸ್ಥಿತಿ ಬಂದಿದೆ. ಹರಿಜನರಿಗೆ ಎಷ್ಟರಮಟ್ಟಿಗೆ ಪ್ರಾತಿನಿಧ್ಯ ದೊರಕುತ್ತಿದೆ ಎಂಬುದು ನನ್ನ ಮನಸ್ಸಿನಲ್ಲಿ ಚೆನ್ನಾಗಿ ನಿಂತಿದೆ.

ಅದೇ ರೀತಿಯಲ್ಲಿ ಎರಕ್ಟುನಿಟಿ ಬೋರ್ಡಿನಲ್ಲಿಯೂ ಮತ್ತು ಭದ್ರಾವತಿ ಐರನ್‌ವರ್ಕ್ಸ್ ಅಲ್ಲಿ ನೋಡಿದರೆ ಬಹಳ ಕಲ್ಪವಿದೆ. ಅವು ಅಟಾನಮಸ್ ಬಾಡಿಯಾಗಿ. ಅಲ್ಲದೆ ಸರ್ಕಾರೀ ಇಲಾಖೆಗಳಲ್ಲೂ ಕೂಡ ಅಂದರೆ ಸೆಕ್ಟೆರಿಯುಟ್ ರೆವಲ್ಯೂನರಿ ತೆಗೆದುಕೊಳ್ಳು. ಅಲ್ಲೂ ಕೂಡ ಈ ರೀತಿಯಾಗುತ್ತಾ ಇದೆ. ಎಲ್ಲಾ ಡೆಪ್‌ಟಿ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಿಂದಲೇ ಅಂದರೆ ಅದರ ಮೂಲಕವೇ ಆಗಬೇಕು. ಒಂದು ವೇಳೆ ಅಲ್ಲಿ ನಿಧಾನವಾಗುತ್ತದೆ ಎಂದರೆ ಸರ್ಕಾರದವರೇ ಅಂಥಾದ್ದನ್ನು ನೇಮಕ ಮಾಡಬಹುದು ಎಂಬುದಾಗಿ ಆಕ್ಟ್‌ನಲ್ಲಿ ಪ್ರೊವೈಡ್ ಮಾಡಿ, ಪರ್ಸನ್‌ನು ಯೂನಿಟ್ ಅಫೀಸರುಗಳು ಡೆಲಿಗೇಟ್ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಿ. ಆ ರೀತಿ ಮಾಡಿದ ಮೇಲೆ ಪ್ರತಿಯೊಂದು ಅಪಾಯಿಂಟ್‌ಮೆಂಟ್ ಕ್ರಮವಾಗಿ ನಡೆಯುವ ಹಾಗೆ ಒಂದು ಅವಕಾಶವನ್ನು ಇದರಲ್ಲಿ ಹಾಕಬೇಕು. ಇಷ್ಟು ಹೊತ್ತು ನನಗೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಟ್ಟಿದ್ದಕ್ಕಾಗಿ ನಾನು ಅಧ್ಯಕ್ಷರನ್ನು ವಂದಿಸಿ ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

†ಶ್ರೀ ಬಿ. ಎ. ಮೂಡಲಗಿರಿ ಗೌಡ (ಕುಣಿಗಲ್).—ಸ್ವಾಮಿ, 1958ನೆಯ ಇಸವಿ ಮೈಸೂರು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ (ಕಂಡಕ್ಟ್ ಆಫ್ ಬಿಜಿನೆಸ್ ಅಂಡ್ ಅಡಿಷನಲ್ ಫಂಕ್ಷನ್ಸ್) ವಿಧೇಯಕವನ್ನು ಈಗ ಚರ್ಚೆಗೆ ತಂದಿರತಕ್ಕದ್ದು ಬಹಳ ಸ್ವಾಗತಾರ್ಹವಾದ ವಿಷಯ. ಆದರೆ ಅದರಲ್ಲಿರತಕ್ಕಂಥ ಬಹಳ ಮುಖ್ಯವಾದ ವಿಷಯವು 3ನೆಯ ಅಧ್ಯಾಯದಲ್ಲಿ ಅಡಕವಾಗಿದೆ. ಆ 3ನೇ ಅಧ್ಯಾಯದಲ್ಲಿ ಅಡಕವಾಗಿರತಕ್ಕ ಮುಖ್ಯೋದ್ದೇಶಕ್ಕಾಗಿಯೇ ಈ ಮನೂವೆಯನ್ನು ಇಲ್ಲಿ ಮಂಡಿಸಿದ್ದಾರೆಂದು ನನಗೆ ಅದರಿಂದ ವ್ಯಕ್ತವಾಗುತ್ತದೆ. ಆದರೆ ಈಗಿರತಕ್ಕ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಕಮಿಷನ್ ಎಷ್ಟರಮಟ್ಟಿಗೆ ಇದುವರೆಗೆ ಎಕ್ಸಾಮಿನೇಷನ್‌ಗಳನ್ನು ನಡೆಸಿದೆ ಎಂಬುದನ್ನು ನಮ್ಮ ಮುಂದೆ ಇಟ್ಟಿದ್ದೀರಿ, ಅದು ಅಂಥಾದ್ದನ್ನು ನಡೆಸುವುದಕ್ಕೆ ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಸಾಧ್ಯವಾಗಿದೆ, ಎಷ್ಟು ಅಪಾಯಿಂಟ್‌ಮೆಂಟು ಜರೂರಾಗಿ ತೀರ್ಮಾನವಾಗಿದೆ. ಈ ವಿಷಯಗಳೆಲ್ಲವನ್ನೂ ನಾವು ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಅವಲೋಕಿಸಿ ನೋಡುವುದಾದರೆ, ಇದರಲ್ಲಿ ರೋಕರ್ ಬಾಡೀಸ್ ಎಂದು ಏನು ವ್ಯಾಖ್ಯಾನ ಮಾಡಿದೆಯೋ ಅದೊಂದನ್ನೂ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್‌ಗೆ ರೆಫರ್ ಮಾಡುವುದರಿಂದ, ಅಲ್ಲಿನ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳೆಲ್ಲಾ ಅವರ ಕನ್ಸಲ್ಟೇಷನ್‌ಗೆ ಹೋಗುವುದರಿಂದ ಅದು ಅಷ್ಟು ಸುಲಭವಾಗಿ, ನಿಜವಾಗಿ ಅವರು ಆ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ನಡೆಸುವುದಕ್ಕೆ, ಮತ್ತು ನೇಮಕ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವೇ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕಾಗಿದೆ.

ಸ್ವಾಮಿ, ಈ ಅಸೆಂಬ್ಲಿಯಲ್ಲಿ ಹಿಂದೆ ಅನೇಕ ಸಾರಿ ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನನ್ನು ಎಕ್ಸಾಪ್ಲಾಂಡ್ ಮಾಡಬೇಕು ಎಂದು ಹೇಳಿದಾರೆ. ಸೆಕ್ಷನ್ 9ರ ಪ್ರಕಾರ ಕಮಿಷನ್ನಿನ ಮೊಟೊಗೆಗೆ ಇಬ್ಬರು ಸದಸ್ಯರಿಬ್ಬರೂ ಡಿರೀಕ್ಷೆ ತೆಗೆದುಕೊಂಡರೆ ಅದಕ್ಕೆ

(ಶ್ರೀ ಬಿ. ಎನ್. ಮೂಡಲಗಿರಿಗೌಡ)

ಕೋರಂ ಆಗುತ್ತದೆ ಎಂದು ಡಿಫೆನ್ಸ್ ಮಾಡಿದ್ದೀರಿ. ಇದರಿಂದ ಈಗಿರತಕ್ಕ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಲ್ಲಿ ಇಬ್ಬರು ಸದಸ್ಯರು ಮತ್ತು ಒಬ್ಬ ಚೇರ್ಮನ್ ಮಾತ್ರ ಇದ್ದುಕೊಂಡು ಇಷ್ಟೊಂದು ದೊಡ್ಡ ಆನಾಹುತ ವಾದಂತಹ ವಿಷಯಗಳನ್ನು ತೀರ್ಮಾನ ಮಾಡುವುದಕ್ಕೆ ಅದಕ್ಕೆ ಸಾಧ್ಯವೇ ಎಂಬುದನ್ನು ಸ್ವಲ್ಪ ಯೋಚನೆ ಮಾಡಬೇಕು. ಈಗಾಗಲೇ ಪ್ರಸ್ತಾಪ ಮಾಡಿರುವ ಹಾಗೆ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳು ಯಾವ ಇಂಟ್ರಿಯರ್ಲೈ ಇರಲಿ, ಸೆಕ್ರೆಟೇರಿಯಾಟ್‌ನಲ್ಲಿ ಇರಲಿ, ಎಲ್ಲಾ ನೌಕರಿಗಳನ್ನು ಅದರಲ್ಲೂ ವಿಶೇಷತಃ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳನ್ನು, ಹೆಚ್ಚಿನ ಸಂಬಳ ಸಾರಿಗೆ ಇರತಕ್ಕ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಿಂದಲೇ ಆಗಬೇಕೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ಕೊಟ್ಟಿದ್ದೀರಿ. ಅದನ್ನು ಮೊದಲಿನಿಂದಲೂ ನೀವು ಹೇಳುತ್ತಲೇ ಇದ್ದೀರಿ. ಹೀಗಿರುವಾಗ ಆ ಇಬ್ಬರು ಸದಸ್ಯರು ಮತ್ತು ಒಬ್ಬ ಚೇರ್ಮನ್‌ನಿಂದ ಈ ಕೆಲಸಗಳು ಸಾಧ್ಯವಾಗುತ್ತವೆಯೇ ಎಂಬುದನ್ನು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳು ಯೋಚನೆ ಮಾಡಬೇಕು. ಈಗ ರಾಜ್ಯದೊಡ್ಡದಾದ ಮೇಲೆ ಈ ರಾಜ್ಯದ ಪಾಪುರೇಷ್, ವಿಸ್ತೀರ್ಣಗಳನ್ನು ಲೆಕ್ಕ ಹಾಕಿ ನೋಡಿದರೆ, ಈ ರಾಜ್ಯದಲ್ಲಿ ಕನಿಷ್ಠಪಕ್ಷ ಅದರಲ್ಲಿ ಇನ್ನೆರಡು ಸ್ಥಾನಗಳನ್ನು ಕ್ರಿಯೇಟ್ ಮಾಡತಕ್ಕದ್ದು ಸರಿಯೆಂದು ನನಗೆ ಕಂಡು ಬರುತ್ತಿದೆ. ಏಕೆಂದರೆ ಅನೇಕ ಕೆಲಸ ಕಾರ್ಯಗಳು ನಿಂತು ಹೋಗಿವೆ. ನಿಧಾನವಾಗಿ ತೀರ್ಮಾನವಾಗಿ ಬರುತ್ತಿವೆ. ದೇಶದ ಕೆಲಸ ಕಾರ್ಯಗಳು ಒಂದು ಪ್ರೋಗ್ರೆಸ್‌ವ್ ಆಗಬೇಕೆಂದು ಹೇಳುವಾಗ ಅತ್ತಕಡೆಗೆ ಎಷ್ಟೇ ಅಡಚಣೆಗಳಿದ್ದರೂ ಕೂಡ ಸರ್ಕಾರದವರು ಗಮನಿಸದೆ ಇದ್ದರೆ, ಅಂಥಾ ದ್ದನ್ನು ಯೋಚನೆ ಮಾಡದೆ ಹೋದರೆ ಹೇಗೆ? ಅದಾದ ರಿಂದ ಈ ಕ್ಲಾಜಿನಲ್ಲಿ “ಎರಡು” ಎಂದು ಇರತಕ್ಕದ್ದನ್ನು “ಮೂರು” ಎಂದು ಮಾಡಿದರೆ ಸರಿ ಹೋಗುತ್ತದೆ. ಇದನ್ನು ಸರ್ಕಾರದವರು ತಕ್ಷಣ ಯೋಚನೆ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗಬಹುದು ಎಂಬುದಾಗಿ ನಾನು ನೋಚನೆ ಮಾಡುತ್ತೇನೆ.

ಇನ್ನು ಲೋಕಲ್ ಬಾಡೀಸ್ ಅಪಾಯಿಂಟ್‌ಮೆಂಟುಗಳ ವಿಷಯ. ಕಾರ್ಪೊರೇಷನ್ನಿನಿಂದ ಹಿಡಿದು ಪಂಚಾಯತಿಗಳ ವರೆಗೆ ಒಬ್ಬಗುಮಾಸ್ತನನ್ನು ಅಥವಾ ಒಬ್ಬ ಅಟೆಂಡರನ್ನು ನೇಮಕ ಮಾಡುವುದನ್ನೂ ಕೂಡ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿಗೆ ರೆಫರ್ ಮಾಡಬೇಕು ಎಂಬ ಅಭಿಪ್ರಾಯ ಇದರಲ್ಲಿ ವ್ಯಕ್ತಪಟ್ಟಿದೆ. ಇದನ್ನು ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿಗೆ ಈ ರೀತಿ ರೆಫರ್ ಮಾಡಿ ಅವರ ಕನ್ಸಲ್ಟೇಷನ್ ತೆಗೆದುಕೊಂಡು ಲೋಕಲ್ ಬಾಡೀಸ್‌ಗಳನ್ನು ನಡೆಸುವುದಕ್ಕೆ ಈಗಿರತಕ್ಕ ಸದಸ್ಯರ ಕೈಯಲ್ಲಿ ಸಾಧ್ಯವೇ, ಇನ್ನೂ ಐದಾರು ಜನ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನಲ್ಲಿ ಮೆಂಬರುಗಳು ಇದ್ದರೂ ಕೂಡ ಸಾಧ್ಯವಾಗುತ್ತದೆಯೇ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು, ಪಂಚಾಯತಿ ಬೋರ್ಡ್‌ಆಗಲಿ, ಟೌನ್ ಮುನ್ಸಿಪಾಲಿಟಿ ಆಗಲಿ ಅಥವಾ ಇನ್ನಾವ ಸಂಸ್ಥೆಯೇ ಆಗಲಿ ಅವರನ್ನು ಕನ್ಸಲ್ ಮಾಡಿ ಅಪಾಯಿಂಟ್ ಮಾಡುವಾಗ ಏನಾದರೂ ವ್ಯತ್ಯಾಸ ಬಂದರೆ ಮತ್ತೆ ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸಿಕೊಟ್ಟು ಅದು ಪೈನಲ್ ಡಿಸಿಷನ್ ಆಗುವ ವರೆಗೆ ಪರಿಸ್ಥಿತಿ ಏನಾಗುತ್ತದೆಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ರಚನೆಯಾಗಿರುವಾಗ ಆ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಯೂನಿಟ್ ಆಫೀಸರ್ಸ್ ಅಪಾಯಿಂಟ್ ಮಾಡ

ಬೇಕು. ಆಗ ಕೆಲಸ ಕಾರ್ಯಗಳು ಸುಲಭವಾಗಿ ಆಗುತ್ತವೆ. ಲೋಕಲ್ ಬಾಡೀಸ್‌ಗಳಲ್ಲಿ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ಸುಲಭವಾಗಿ ಮಾಡುವುದಕ್ಕೆ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ರೂಲ್ಸ್ ಪ್ರಕಾರವಾಗಿ ಅವರೇ ಅಪಾಯಿಂಟ್ ಮಾಡಿದರೆ ಒಳ್ಳೆಯದು ಎಂದು ನನ್ನ ಬಹಿಷ್ಕಾರ ಅಭಿಪ್ರಾಯ. ಶ್ರೀಮಾನ್ ಬಿ. ರಾಜಯ್ಯನವರ ಸಲಹೆಯನ್ನು ನಾನು ಅನುಮೋದಿಸುತ್ತೇನೆ. ಹಾಗೆಲ್ಲದೆ ಹೋದರೆ ಪ್ರತಿಯೊಬ್ಬನು ನಾಳೆಯ ದಿವಸ ಅಟೆಂಡರ್ ನಿಂದ ಹಿಡಿದು ದೊಡ್ಡ ಆಫೀಸರ್‌ವರೆಗೂ ಕೋರ್ಟಿಗೆ ಹೋಗಬಹುದು. ಈ ಆಕ್ಟ್‌ನಲ್ಲಿ ಒಬ್ಬ ಅಟೆಂಡರನ್ನು ಯಾವಾಗ ಅಪಾಯಿಂಟ್ ಮಾಡಬೇಕಾದರೂ ಕೂಡ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನನ್ನು ಕನ್ಸಲ್ ಮಾಡದಿದ್ದರೆ ಅದು ತಪ್ಪಾಗುತ್ತದೆಂದು ಹೇಳಿದೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನನ್ನು ಕನ್ಸಲ್ ಮಾಡಲೇ ಬೇಕು ಎಂಬುದಾಗಿ ನಾನು ಹೇಳುತ್ತೇನೆ. ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ ಯಾವ ರೂಲ್ಸ್‌ನ್ನು ಫೈನಲ್ ಮಾಡಿ ಕನ್ಸಿಡರ್ ಮಾಡುತ್ತಾರೋ ಅದೇ ರೀತಿಯಾಗಿ ಅದೇ ಮಟ್ಟದಲ್ಲಿ ಯೂನಿಟ್ ಆಫೀಸರುಗಳು ಮಾಡಿದರೆ ಸಾಕು ಎಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ನಾನು ನೋಚನೆ ಮಾಡುತ್ತೇನೆ.

ಇನ್ನು ಸೆಕ್ಷನ್ 17 (b) (iii) ರಲ್ಲಿ ಈ ರೀತಿ ಹೇಳಿದೆ.

“on all disciplinary matters affecting a person serving under a local authority including memorials and petitions relating to such matters”

ಇದನ್ನು ನಾನು ಯೋಚನೆ ಮಾಡಿದ್ದೇನೆ. ಈ ವಿಷಯವನ್ನು ಸರಿಯಾಗಿ ತಿಳಿದುಕೊಂಡು ಕೆಲಸ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಚೇರ್ಮನ್, ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಆಫೀಸರು ಯಾರು? ಒಂದು ವೇಳೆ ಗುಮಾಸ್ತ ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡದೆ ಹೋದರೆ, ಸ್ಟೇಟ್ಸ್‌ಯಾಗಿ ಕೆಲಸ ನಡೆಸಿದರೆ ಅಥವಾ ಆಫೀಸಿನ ಎಫಿಷಿಯೆನ್ಸಿಯನ್ನು ಹಾಳು ಮಾಡಿದರೆ ಅವನ ಮೇಲೆ ಜುರಾನ್ ಹಾಕುವುದಕ್ಕೆ ಪಬ್ಲಿಕ್ ಸರ್ವಿಸ್ ಕಮಿಷನ್ನಿನ ಪರ್ಮಿಷನ್ ಆಗಲೇ ಅಥವಾ ಕೋರ್ಟಿನಾಗಲಿ ಕೇಳಬೇಕಾಗುತ್ತದೆ. ಅದುವರೆಗೆ ಅವನನ್ನು ಪನಿಷ್ ಮಾಡುವ ವಿಚಾರವಿಲ್ಲ. ಅದಾದರಿಂದ ಇದರಲ್ಲಿ “the Commission shall be consulted” ಎಂದು ಹೇಳಿದರೆ ಲೋಕಲ್ ಬಾಡೀಸ್‌ಗಳು ದಕ್ಷತೆಯಿಂದ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸುವುದಕ್ಕೆ ಸಾಧ್ಯವೇ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಈ ರೀತಿಯಾದ ಕಾನೂನನ್ನು ಈ ವಿಧೇಯಕದಲ್ಲಿ ಸೇರಿಸುವುದಕ್ಕೆ ಬದಲಾಗಿ ಇದನ್ನು ಈ ವಿಧೇಯಕದಿಂದ ಡಿಲಿಟ್ ಮಾಡಿ, ರೂಲ್ಸ್‌ನಲ್ಲಿ ಇದನ್ನು ಯಾವ ರೀತಿ ಪ್ರೊವೈಡ್ ಮಾಡಬೇಕೆಂಬುದನ್ನು ಯೋಚಿಸಿಕೊಂಡು ಮಾಡಬೇಕೆಂದು ನೋಚನೆ ಮಾಡುತ್ತೇನೆ.

ಇನ್ನು ಮುಂದೆ ನೋಡುತ್ತಾ ಹೋದರೆ ಈ ವಿಧೇಯಕದಲ್ಲಿ ಯಾವನಾದರೂ ಒಬ್ಬನಿಗೆ ಲೋಕಲ್ ಬಾಡೀಸ್ ಏನಾದರೂ ಅವನ ಕ್ಲೈಮ್ ವಿಷಯದಲ್ಲಿ ಮತ್ತೆ ಲೇನಾದರೂ ಕೊಡತಕ್ಕಂಥಾದ್ದರಲ್ಲಿ ಅನ್ಯಾಯವಾಗಿದ್ದರೂ ಕೂಡ ಅದನ್ನು ಕೊಡಬೇಕಾದರೆ ಅದಕ್ಕೆ ಅನುಮತಿ ಅನ್ಯಾಯ ಮಾಡಿದರೆ ಅವನು ಕಮಿಷನ್ನಿಗೆ ಹೋಗಿ ಬೇಕೆಂದು ಇದೆ. ಈ ವಿಷಯದಲ್ಲಿ

ಕಮಿಷನ್ನನ್ನು ಕರ್ನಾಟಕ ಮಾದತಕ್ಕ ಅಗತ್ಯವೇನಿದೆ?  
ಕಮಿಷನ್ನನ್ನು ಕರ್ನಾಟಕ ಮಾಡುವುದಕ್ಕೆ ಬದಲಾಗಿ  
ಸರ್ಕಾರವೇ ಈ ಜವಾಬ್ದಾರಿ ತೆಗೆದುಕೊಂಡು  
ತೀರ್ಮಾನ ಮಾಡತಕ್ಕದ್ದರಲ್ಲಿ ಬಾಧಕವೇನಾಗಿರು  
ವುದು? ಆ ರೀತಿಯಾದಂಥ ಸರ್ಕಾರದ ತೀರ್ಮಾನ  
ವನ್ನು ಲೋಕಲ್ ಬೋರ್ಡ್ಸ್ ಆಕ್ಟ್‌ನಲ್ಲಿ ಪ್ರೊವೈಡ್  
ಮಾಡಿಕೊಂಡರೆ ಸರಿಹೋಗುವುದಿಲ್ಲವೇ? ಇಂತಹ  
ಸಂದರ್ಭದಲ್ಲಿ ಕಮಿಷನ್ನನ್ನು ಕರ್ನಾಟಕ ಮಾಡ  
ಬೇಕೆಂಬುದೇನು?.....

Mr. SPEAKER.—The House will now  
rise and meet tomorrow at one o'  
clock.

*The House adjourned at Six of the  
Clock to meet again at One of the Clock  
on Thursday, the 10th December 1959.*